

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

945 CA/1696/2019 IN FAST/17750/2018

AMIN SHAH MUNIR SHAH AND ORS
VS
SANJAY SUDARSHAN JAISWAL and Ors.

...
Advocate for Applicant : Mr. A. R. Borulkar ;
Mr. Undre Vikram S, Adv. For R/1
Mr. S. G. Chapalgoankar For Resp.2

...
CORAM : P.R. BORA, J.
Dated: February 07, 2019
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PER COURT :-

1. This is an application for withdrawal of the amount. Shri Borulkar learned counsel submitted that the respondent appellant has not deposited the amount as per the Award.

2. Though learned counsel for the respondent has opposed for permitting any withdrawal stating that no liability may arise on his part, after having perused the impugned judgment, I am however not convinced with the submission so made.

3. In view of the submissions so made, following order is passed, -

ORDER

i. The applicant is permitted to withdraw 50% amount

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with interest accrued thereon on submitting an undertaking to the satisfaction of Registrar of this Court;

ii. Balance 50% amount be invested in FDR of any nationalized Bank for the period, till disposal of the appeal.

iii. Civil application for withdrawal of the amount stands disposed of.

(P.R. BORA, J.)

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