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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.896 OF 2019

IN

WRIT PETITION NO.11384 OF 2016

Sudhir Keshav Powar

..Applicant.

IN THE MATTER BETWEEN

Dr. Annasaheb Chougule Urban Co-
operative Bank Ltd.

..Petitioner.

V/s.

Sudhir Keshav Powar

..Respondent.

Mr.Sandeep S.Koregave for the applicant.

Mr.Kuldeep U.Nikam for the respondent in Civil Application and
for petitioner in writ petition.

CORAM: NITIN W.SAMBRE, J.

DATE : JUNE 28, 2019

P.C.:-

Learned counsel for the applicant submits that if the amount is permitted to be withdrawn, the applicant shall furnish an undertaking to the satisfaction of the Registrar (Judicial) to the extent of fifty percent of the amount and for the balance fifty percent, he shall furnish bank guarantee of any nationalised bank assuring redeposit.

2. Learned counsel for the respondent has strongly resisted the claim of the applicant as according to him, if the withdrawal is permitted, nothing survives in the petition.
3. Since the statement is given on instructions, the same is accepted as an undertaking.
4. The civil application is allowed in terms of prayer clause (a) subject to the aforesaid conditions.

v

(NITIN W.SAMBRE, J.)