

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 1655 OF 2018  
IN  
FIRST APPEAL (ST.) NO. 17808 OF 2017**

|                                     |     |             |
|-------------------------------------|-----|-------------|
| Ganesh J. Modi                      | ... | Applicant   |
| <b><u>In the matter between</u></b> |     |             |
| Canara Bank                         | ... | Appellant   |
| V/s.                                |     |             |
| Ganesh J. Modi & Anr.               | ... | Respondents |

- Mr.Arsh Mishra i/b. M.V. Kini & Co. for the Appellant.
- Mr.Neel Girish Helekar for the Applicant/Org.Respondent No.1.

**CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.**

**DATE : 16<sup>th</sup> JANUARY, 2019.**

**P.C. :**

- 1] Heard learned counsel for the parties.
- 2] This is an application preferred by Original Respondent No.1-Decree Holder for withdrawal of the decretal amount.
- 3] Learned counsel for the Appellant submits that he has no objection for withdrawal, subject to furnishing of the security in the form of guarantee of Nationalized Bank.
- 4] In view thereof, the Application is allowed. The Applicant is permitted to withdraw 50% amount deposited in the Court with interest accrued thereon, subject to furnishing of the guarantee of any Nationalized Bank.

**[DR.SHALINI PHANSALKAR-JOSHI, J.]**