

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

**CIVIL APPLICATION NO. 616 OF 2018
IN
CIVIL REVISION APPLICATION NO. 1018 OF 2014**

Mr.Rajesh Dwarkanath Patil and anr ...Applicants

In the matter between

Central Bank of India ... Applicant

Versus

Mr.Rajesh Dwarkanath Patil and anr ...Respondents

Mr.Vikas Y. Murudkar for the applicants.

Mr.Sameer Tendulkar for the respondent (original applicant).

CORAM : DAMA SESHADRI NAIDU, J.

DATE : 25th SEPTEMBER 2019.

P.C. :

The landlord has filed this Civil Application for the Court's leave to withdraw the amount the applicant-tenant deposited before the trial Court. Earlier, too, the landlord, on his application, was permitted to withdraw the amounts accumulated by then. On the last occasion, the applicants' counsel insisted that the landlord earlier provided a bank guarantee to withdraw the amounts. So he wanted the same compliance this time, too.

2. But, now, on verification, the applicant's counsel agrees that on the last occasion as well there was no bank guarantee. It was a simple personal undertaking.

3. So I see no reason why the landlord should not be allowed to withdraw the accumulated compensation along with interest, as he did last time—on the same conditions. I, therefore, allow the civil application in terms of prayer clause (a).

Once the landlord files the usual undertaking as he did on the last occasion, the trial Court will allow the landlord to withdraw the accumulated amount along with interest, if any.

Vina A.
Khadpe

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[DAMA SESHADRI NAIDU, J.]