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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 359 OF 2018
IN
FAMILY COURT APPEAL No. 121 OF 2004

Ms. Hritu Ramesh Dudani
(now, Hritu Noel Smith) ... Applicant
Vs.
Ramesh K. Dudani ... Respondent

Mr. Amit Bhwmik with Sagar P. Batavia, for the Applicant.
Mrs. Shilpa Joshi, for the Respondent.

**CORAM : INDRAJIT MAHANTY, &
SARANG V. KOTWAL, JJ.**

DATE : MARCH 7, 2019

PC :

1. This application arising out of Family Court Appeal No. 121 of 2004 has been made by Mrs. Hritu Noel Smith seeking a direction to the registry of this Court to release the amount of Rs.10 Lacs, deposited in her name by the Respondent-father, together with the accumulated interest thereon. Pursuant to the direction dated 1st March, 2019, the registry has submitted a following note:

“Shri Ramesh K. Dudani, Respondent has deposited an amount of Rs.30,00,000/- on 23rd December, 2014 (statement enclosed) and as per submission dated 22/12/2014 a seal packet (5 of 2015) has been received from Decree Department (FCA Section) containing FDR Receipt No. 18429, amounting to Rs.10,00,000/- deposited by the Respondent in FCA 121 of 2004.”

2. The learned counsel for the Applicant has tendered a copy of the fixed deposit receipt, bearing Sr. No. 18429, which is mentioned in the office note submitted by the registry. The office note tendered by the registry, as also the copy of the fixed deposit receipt tendered by the learned counsel for the Applicant, are taken on record and marked “X” (colly) for identification. Since both, the original Appellant as well as the Respondent has no objection, we direct the registry to release the said amount of Rs. 10 lakhs, kept in the fixed deposit together with the accumulated interest thereon, in favour of the Applicant in her marital name i.e. Mrs. Hritu Noel Smith. Civil application is disposed of in the aforesaid terms.

Sd/-

[SARANG V. KOTWAL, J.]

Sd/-

[INDRAJIT MAHANTY, J.]

Vinayak Halemath