

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

CIVIL APPLICATION NO. 3549 OF 2017

IN

FIRST APPEAL (ST.) NO. 21077 OF 2017

Shri Nilesh Babru Sonawane

...Appellant

Versus

Shri Kailas Vasudev Naik & Anr.

...Respondents

Mrs. Krutika Pokale i/b Mr. Avinash M. Gokhale – Advocate for
the applicant/apellant.

Ms. Jyoti Bajpayee – Advocate for the respondent no. 2.

CORAM : R. D. DHANUKA, J.

DATE : 18th DECEMBER 2019.

P.C. :

In this Civil Application, the applicant was the original claimant before the Tribunal and partly succeeded in the Claim Application filed by the applicant. The respondent no. 2 deposited the amount before the M.A.C.T., Mumbai. The applicant seeks liberty to withdraw the said amount which was allowed by the judgment and award alongwith accrued interest rendered by the M.A.C.T., Mumbai on 7th September, 2013. The learned counsel for the respondent no. 2 states that her client has not yet impugned the judgment and award. Statement is accepted.

2. Case is made out by the applicant for the withdrawal of the decretal amount deposited by the respondent no. 2 before the M.A.C.T.. The Civil Application is accordingly made absolute in terms of prayer clause - 'a'. M.A.C.T. is directed to permit the applicant to withdraw the amount deposited by the respondent no. 2 with accrued interest upon production of an authenticated copy of this order.

3. The Civil Application is made absolute on the aforesaid terms. No order as to costs.

[R. D. DHANUKA, J.]