

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 217 OF 2019
IN
FAMILY COURT APPEAL NO. 121 OF 2004

Ramesh K. Dudani .. Applicant

In the Matter Between

Madhavi Ramesh Dudani .. Appellant

Vs

Ramesh K. Dudani .. Respondent

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- Ms. Shilpa Joshi for the Applicant
 - Ms. Madhavi R. Dudani, Respondent-wife is present
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CORAM : AKIL KURESHI &
S.J. KATHAWALLA, JJ.

DATE : AUGUST 2, 2019.

P.C.:

1. The above Civil Application is filed by the applicant - husband seeking to withdraw the amount of Rs. 30,00,000/- along with accrued interest, deposited by him in Court pursuant to the judgment and order of this Court dated 25.11.2005. Learned Advocate for the husband informed the Court that the husband had impugned the said Judgment and Order dated 25.11.2005 by filing a Special Leave Petition which SLP was withdrawn on 12.11.2014. Thereafter, the parties have filed consent terms before the Family Court, Bandra on 28.11.2018. Under the said Consent Terms,

amongst others, an amount of Rs. 2,69,17,500/- was agreed to be paid and is in fact, paid by the applicant - husband to the respondent - wife. The applicant - husband is, therefore entitled to withdraw the said amount which was deposited by him in this Court pursuant to the judgment and order dated 25.11.2005.

2. The applicant - wife is present in Court. She has produced her Aadhar Card bearing no. 9638 5248 7476 to establish her identity. Photo copy of the same is taken on record and marked **"X"** for identification. The applicant wife has informed the Court that in view of the aforestated facts, she has no objection if the applicant is allowed to withdraw the amount of Rs. 30,00,000/- with interest accrued thereon. In view thereof, Civil Application is allowed in terms of prayer clause (a) which is reproduced hereunder:-

- (a) this Hon'ble Court be pleased to allow the applicant to withdraw the amount of Rs. 30,00,000/- along with the accrued interest lying with the Registrar, Appellate Side, High Court, Bombay.

3. Civil Application is accordingly disposed of.

[S.J. KATHAWALLA, J.]

[AKIL KURESHI, J]