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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.137 OF 2019
IN
WRIT PETITION NO.8293 OF 2018

Geetanjali Bhairappa Bagale	... Applicant
Vs.	
Bhairappa Yashwant Bagale	... Respondent

Mr. Prasad Pradeep Kulkarni for the Applicant.
Mr. Priyal Gopaldas Sarda for the Respondent.

CORAM: SMT. SADHANA S. JADHAV, J.

DATE : 30th SEPTEMBER 2019.

P.C. :

1 Applicant herein has prayed for withdrawal of amount of Rs.1,75,000/- deposited in this Court which is half of the amount of the permanent alimony granted to the applicant by judgment and order dated 14th October 2014. The amount was deposited pursuant to the order of this Court dated 2nd August 2018.

2 The learned counsel for the respondent has vehemently submitted that in fact there was no prayer for permanent alimony. That, at

the stage of judgment, the applicant had prayed for permanent alimony on the ground that it is difficult for her to sustain on her own and that she is unable to maintain herself. The learned counsel demonstrates that in fact the applicant was working in the Police Department of the State of Maharashtra since 3rd September 2014. The date of the judgment is 14th October 2014.

3 The respondent herein had filed review petition on the said ground of suppression of facts and had also prayed for stay. The prayer for stay was rejected. Hence, the respondent has filed Civil Writ Petition No.8293 of 2018 in this Court. That, on 2nd August 2018 this Court had stayed execution on depositing Rs.1,75,000/-. As on today, review petition is still pending before the Civil Judge, Senior Division, Solapur. Admittedly, there is suppression of facts and there is no denial. In view of this, applicant would be entitled to withdraw an amount of Rs.75,000/- only and the same shall be given to her on furnishing an Indemnity Bond since she happens to be a public servant. There shall be no further application for withdrawal of amount till the disposal of the review petition. Application is allowed in above terms and stands disposed of.

(SMT. SADHANA S. JADHAV, J)