

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

**CIVIL APPLICATION NO. 254 OF 2019
IN
CIVIL REVISION APPLICATION NO. 826 OF 2014**

M/s. Radium Garments Pvt. Ltd.	...	Applicant
<u>In The matter between :-</u>		
M/s. Fab Fashions	...	Applicant
V/s.		
M/s. Radium Garments Pvt. Ltd.	...	Respondent

Mr.D.S. Patil for Applicant in CAC/254/2019.

CORAM : A.S. GADKARI, J.

DATE : 21st January 2020.

PC. :

1] This is an application by the original respondent seeking permission to withdraw the amounts deposited by the revision applicant in compliance with the Orders dated 7th September 2015 and 7th August 2017 passed by this Court. It is stated that, the revision applicant has deposited a total sum of Rs.7,20,000/- in this Court and in furtherance of Orders passed earlier to this, the applicant herein has already withdrawn sum of Rs.1,50,000/-. That, an amount of Rs.5,70,000/- is prayed to be permitted for withdrawal by the present application.

2] The record indicates that, in pursuance of Orders passed by this Court, the applicant has served the revision applicant by substituted service and an affidavit-of-service dated 11th November 2019 has been filed on record. Despite service none appears for the revision applicant.

3] In view of the above and for the reasons stated in the application, the applicants are permitted to withdraw the balance amount of Rs.5,70,000/- alongwith interest accrued thereon, as per Rules, from the Registry of this Court.

4] Application is allowed in the aforesaid terms.

[A.S. GADKARI, J.]