

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

Interim Application No.1/2019
in
First Appeal No.1571/2010

Simplex Project Ltd. Applicant

Vs.

M/s. Jyoti Structures Ltd. & Ors. Respondents

Mr. Ranit Basu for the Applicant
Mr. Akhil Sarathy i/b. Thodur Law Associates for
Respondent No.1.

**CORAM: K.K.TATED &
SARANG V. KOTWAL,JJ.**

DATED : FEBRUARY 5, 2020

P.C.

1 Heard. By this Interim Application, the Applicant is seeking permission to withdraw the sum of Rs.1,10,42,200/- along with accrued interest on the basis of the personal undertaking of Mr. Sudarshan Mundhra, Director of Simplex Projects Ltd. or by furnishing a bank guarantee of any scheduled Bank of like amount.

2 The learned counsel for the Applicant submits that this court, by order dated 02.08.2019 had permitted the Applicant to withdraw the said amount by furnishing bank guarantee of any Nationalized Bank to the satisfaction of the Learned Registrar (Judicial-I). He submits that as per

earlier order dated 09.01.2020 passed by this court, he received instructions from his client that he is not in a position to provide the solvent security to the satisfaction of the Registry.

3 In view of these facts, nothing survives in the Interim Application. Hence, same stands rejected.

4 No order as to costs.

(SARANG V. KOTWAL, J.)

(K.K.TATED, J.)