

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3368 OF 2021

IN

FIRST APPEAL NO. 316 OF 2009

Maruti Vithoba Suryagan And Others. ...Applicants/
Appellants

Versus

N.R. Palawisamy S/O Rasappa & Anr. ...Respondents

Mr. Macchindra A. Patil, for the Applicants/Appellants.

CORAM : N. J. JAMADAR, J.

DATE : 22nd NOVEMBER, 2021

P.C.:

1. Heard the learned counsel for the applicant.
2. The learned counsel invited the attention of the Court to Clause-4 of the impugned Judgment and award dated 23rd September, 2008.

“ 4. On depositing the amount, amount of Rs.25,000/- be deposited in the name of the petitioner Nos.2 and 5 each in F.D.R. till attaining their majority in any Nationalized Bank. Remaining amount be given to the petitioner Nos.3 and 4 for and on behalf of minor petitioners by issuing account payee cheque.”

3. The learned counsel submits that the applicant Nos.3 & 4 have since attained majority. Copies of the birth certificate & school leaving certificates of the applicant Nos. 3 & 4 are annexed to

the application.

4. Having regard to the developments in the intervening period and the time lag there does not seem to be any impediment in allowing the applicant Nos. 3 & 4 to withdraw the amount of Rs.25,000/- along with interest accrued thereon in terms of clause - 4 of the impugned Judgment and award, extracted above.

5. Hence, the application stands allowed in terms of prayer clause 'a'.

Interim Application stands disposed of.

(N. J. JAMADAR, J.)