

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Civil Application (CAN) No. 34/2020
IN
Contempt Petition (CP) No. 259/2017 (D)
IN
Writ Petition No. 5344/2016 (D)

Nirmal Urban Co-operative Bank Ltd.
..VS..
Smt. Mamata Wd/o Keneddy Naidu

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri P.B. Patil, Advocate for the petitioner/applicant
Shri Y.V. Nayyar, Advocate for the respondent

CORAM : MANISH PITALE, J.

DATED : 23/06/2021

Hearing was conducted through Video Conferencing and all the learned Advocates agreed that the audio and visual quality was proper.

2. This is an application filed by the applicant – Bank in disposed of Writ Petition No. 5344/2016. By this application, the applicant-Bank is seeking withdrawal of the amount deposited by the respondent in this Court. In paragraph no. 5 of the application, it is specifically stated that the said amount would be adjusted against the loan amount due to the respondent.

3. The respondent does not dispute the fact that the amount towards repayment of loan taken from the applicant – Bank is still payable on her part. In that view of the matter, the present application is **allowed** in terms of prayer made therein.

4. Accordingly, it is directed that the amount lying in this Court deposited by the respondent shall be disbursed to the applicant – Bank with interest accrued, if any. The said amount disbursed to the applicant – Bank, in terms of order passed today, shall be adjusted towards the total amount due to the applicant – Bank from the respondent.

5. The application stands disposed of.

JUDGE