

Andreza

IN THE HIGH COURT OF BOMBAY AT GOA
MISC. CIVIL APPLICATION NO. 30 OF 2022
IN
STAMP NUMBER MAIN NO. 3945 OF 2019 (FILING)

Clotilda Kaitan Godinho ... Applicant

Versus

Wonedulfo Antonio Da Costa ... Respondent

Mr. A. Gaude, Advocate holding for *Mr. Anthony D'Silva,*
Advocate for the Applicant.

Mr. J. J. Mulgaonkar, Advocate with *Ms. Rupa Banaulikar,*
Advocate for the Respondent.

CORAM: SANDEEP K. SHINDE, J

DATED: 4th July 2022

P.C.

1. Pending First Appeal against the money decree, Appellant-Judgment Debtor deposited ₹ 7,50,000/- (Rupees Seven Lakhs Fifty Thousand Only) a part of the decretal amount in this Court. Respondent-Decree Holder seeks leave to withdraw the amount.

2. The Respondent-Decree Holder has filed an undertaking to state that in the event of the impugned Judgment and Decree is set

aside or modified by this Court, the Appellant shall return the amount of ₹7,50,000/- with interest accrued thereon as that may be directed by this Court. The undertaking signed by the Power of Attorney of the Respondent and identified by the Advocate, is taken on record and marked X-1 for identification, as an undertaking to the Court.

3. In consideration of the facts of the case and undertaking, as stated above, the application is allowed in terms of prayer clause (a) which reads as under :

“(a) This Hon'ble Court be pleased to allow the applicant to withdraw the amount of ₹7,50,000/- (Rupees Seven Lakhs Fifty Thousand Only) deposited by the Appellant in this Hon'ble Court.”

4. Civil Application stands disposed of in the aforesaid terms.

SANDEEP K. SHINDE, J

ANDREZA PEREIRA Digitally signed by ANDREZA PEREIRA
Date: 2022.07.04 13:39:49 +05'30'