

Andreza

IN THE HIGH COURT OF BOMBAY AT GOA
MISC. CIVIL APPLICATION NO. 342 OF 2022
IN
WRIT PETITION NO. 1869 OF 2022 (FILING)

Sunny S. Kamat Panjekar

... Applicant

Versus

Canara Bank, Thr. Branch Manager, Ponda ...Respondent
Branch

Mr. Deep Shirodkar, Advocate *for the Applicant.*

Mr. Kishan Kavlekar, Advocate *holding for Mr. G. Rege, Advocate*
for the Respondent.

CORAM: G. S. KULKARNI, J.

DATED: 1 December, 2022

P.C.

1. Called out speaking to the order dated 12 October, 2022.
2. In paragraph 7, the sentence in line 5 beginning with "*It is submitted that on withdrawal of such deposit of Rs.2,66,951/- by the respondent, the gold loan account can be closed after deposit of Rs.1,50,000/- by the petitioner with the respondent in three equal installments and on receipt of such amounts, the gold pledged with*

the respondent can be returned to the petitioner.", to be deleted and be substituted by the following :

" It is submitted that on withdrawal of such deposit of Rs.2,66,951/- by the respondent, the gold loan account shall stand closed and after deposit of Rs.1,50,000/- by the petitioner with the respondent in three equal installments and on receipt of such amounts, the gold pledged with the respondent can be returned to the petitioner."

3. Paragraph 8 to be deleted and be substituted by the following :

"8. Learned Counsel for the respondent would submit that the respondent would be agreeable for such a course of action. He, however, submits that the amount of Rs.1,50,000/- which would now be deposited would be allowed to be adjusted to any of the other loan accounts of the petitioner. Learned Counsel for the petitioner is also agreeable for such course of action."

4. In paragraph 9(a), the operative portion of the order, after the words "in three equal monthly installments of Rs.50,000/-", the following be inserted :

"which can be adjusted to any of the other loan accounts of the petitioner."

5. In paragraph 9(d), “*On receipt of Rs.1,50,000/-*” be deleted and be substituted by “*On receipt of Rs.2,66,951/-*” and the following paragraph be added after (e) :

(f) Needless to observe that it will be open to the petitioner to pay the entire amount at an early date. In the event such amount is paid, the above directions in regard to the installments shall stand modified in the consequence as set out in the early part of the order which shall entail to the benefit of the petitioner.

6. Corrections be carried out in the order dated 12 October, 2022, accordingly. Learned Counsel for the respondent also does not have any objection for such modifications to be carried out in such order.

7. Application is disposed of.

G. S. KULKARNI, J

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