

- Chitra Sonawane

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

INTERIM APPLICATION NO.3654 OF 2022

IN

WRIT PETITION NO.6950 OF 2022

Mr.Mahadeo Singh

.. Applicant/petitioner.

Vs.

HDB Financial Services Ltd & Ors.

.. Respondents.

.....

Dr. Mr. D.S. Hatle a/w Mr. Deepak Jamsandekar for applicant/original petitioner.

Miss Payal Upadhyay i/b ANP Chambers for respondent no.1.

**CORAM : K. R. SHRIRAM &
PRITHVIRAJ K.CHAVAN, JJ.**

DATED : 21st JUNE, 2022.

P.C.

1. Ms Upadhyay states that respondent no.1 is ready to part with the documents to the applicant in view of letter dated 24.12.2021 annexed to the interim application. Ms Upadhyay also confirms the fact that respondent no.1's claim against outstanding loan amount has been cleared by virtue of petitioner paying sum of Rs.45,27,000/-.
2. In view thereof, respondent no.1 is directed to hand over all original documents to the applicant on or before 27.06.2022.
3. Interim application is disposed.

4. Mr. Hatle is pressing for cost because respondent no.1 despite receiving money and despite knowing that flat has been sold to the applicant, was not handing over the documents but making the applicant take out this application and approach this Court. Mr. Hatle states that applicant is 78 years old citizen, therefore, the Court should grant some cost. Mr. Hatle is justified in pressing for cost.
5. Respondent no.1 also pay a sum of Rs.25,000/- to the applicant. This amount shall also be paid on or before 27.06.2022 by way of cheque drawn in favour of the applicant.

(PRITHVIRAJ K.CHAVAN, J.)

(K.R. SHRIRAM, J.)