

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

959 CIVIL APPLICATION NO.13757 OF 2023
IN FA/23/2023 WITH CA/11993/2022 IN FA/23/2023

AMIT SHANTARAM DUSANE
VERSUS
PRAKASH SUKDEV MALI AND ANR

...
Advocate for Applicant : Mr. Sawant Amol Shivajirao
Advocate for Respondents No.1 and 2 : Mr. M. S. Shah

...
CORAM : ARUN R. PEDNEKER, J.
DATE : 08/11/2023

PER COURT :

1. The appeal is filed by the appellant challenging the interest component granted while directing the refund of amount in a suit for specific performance. The specific performance having not been granted the amount paid by the applicant has been directed to be refunded along with interest. The interest component awarded is challenged in the present appeal. The principle amount paid by the applicant to the respondent itself is Rs.25,01,000/-. Stay is granted by this Court subject to deposit of Rs.20 lakh.
2. In view of the same, the applicant is permitted to withdraw entire amount deposited in this Court along with accrued interest thereon till date.
3. The application is disposed of accordingly.

(ARUN R. PEDNEKER, J.)

vj gawade/-.