

Andreza

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.41 OF 2020

SAPANA REAL ESTATES AND 4 ORS., ... APPLICANTS
Versus
SHARAD PRABHUDAS., ... RESPONDENT

Mr Parikshit S. Sawant, Advocate for the applicants.

CORAM:- PRAKASH D. NAIK, J.

DATED :- 23rd August, 2023

P.C.

None appears for respondent.

2. The applicant is seeking direction from this Court to the Registry to pay an amount of Rs.1,79,995/- with accrued interest, if any, in the light of the observations made by the Supreme Court vide Order dated 11.04.2019 passed in Special Leave Petition No. 18539/2017.

3. Second Appeal No. 23 of 2003 was preferred by the respondent before this Court, which has been disposed of vide Order dated 31.03.2017. The said Order was challenged before the Apex Court by preferring the Special Leave Petition as referred to herein above. The Apex Court passed the following Order :

"Heard learned counsel for the parties.

The special leave petition is dismissed. However, the dismissal of this special leave petition will not preclude the petitioner(s) to withdraw the amount, which was deposited by the respondent in the High Court, along with the interest accrued thereon. In view of the above, pending application(s) shall stand disposed of."

4. In view of the directions of the Apex Court, the applicant is permitted to withdraw the amount of Rs.1,79,995/- along with accrued interest, if any, which has been deposited by the respondent in this Court.

5. Application stands disposed of.

PRAKASH D. NAIK, J.

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