

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1348 OF 2015
IN
FIRST APPEAL NO. 335 OF 2010
WITH
FIRST APPEAL NO. 335 OF 2010

Mr. M.A. Lokhandwala

...Applicant

Versus

Shri. Ramlakhan Ramprasad Gupta
(deceased) through Lrs Mrs. Gyandevi
Ramlakhan Gupta and Ors.

...Respondents

Mr. A.J. Almeida for the Applicant.

Mr. Aniruddha Lad i/b KLT Law Associates for the Respondent Nos.
1A to 1E.

Mr. Santosh Parad for the Respondent/MCGM.

CORAM : M.M.SATHAYE J.
DATE : 7th DECEMBER 2023

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Date: 2023.12.08
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PC. :

1. Heard learned counsel for the Applicant and learned Counsel for the Respondents.

2. This is an application seeking direction to office/Registry to handover original Bank Guarantee No. 04091GFIN000811 dated 23.08.2011 back to the Applicant, so that a fresh Bank Guarantee can be furnished.

3. It appears that the Applicant was directed to furnish Bank Guarantee under Order dated 19.07.2011 passed in Civil Application

No. 1168 of 2010. It is common ground before the Court that the Applicant had indeed furnished Bank Guarantee in compliance with the said order. However, the Bank Guarantee has now expired.

4. Learned counsel for the Respondent Nos. 1A to 1E submits that the original Bank Guarantee can be returned, provided fresh Bank Guarantee is submitted in the Court.

5. In that view of the matter, this application is allowed in terms of prayer clause (a). Office is directed to handover the concerned original Bank Guarantee to the Applicant. The Applicant is directed to furnish a fresh Bank Guarantee in the Registry within a period of four weeks from today.

6. Civil Application is disposed of accordingly.

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7. Place the above first appeal for further orders on 25.01.2024.

8. All concerned to act on duly authenticated or digitally signed copy of this order.

[M.M.SATHAYE,J.]