

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.693 OF 2017
WITH
CIVIL APPLICATION (CAF) NO.2205 OF 2017
IN
FIRST APPEAL NO.693 OF 2017

Mr. Deepak Malhotra ...Appellant
V/s.

Housing Development Finance
Corporation Ltd. And Ors. ...Respondents

Mr. S. R. Page a/w Ms. Eesha Jaifalkar for Appellant.

Mr. Shreesh Oak i/by S. C. Legal for Respondents.

CORAM : AMIT BORKAR, J.

DATE : JANUARY 30, 2023

PC.:

1. The appellant is challenging validity in the suit for recovery filed by the respondents. The trial court by impugned decree directed defendant no.1 to pay amount of Rs.5,24,896/- along with future interest @ 18% p. a. from the date of suit, till final realisation. The trial court granted 18% future interest based on clause 2.7(b).

2. Hence, **Admit.**

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3. Since the applicant is challenging money decree, it is necessary for the appellant to deposit decreetal amount. However,

it is clarified without prejudice to the rights of respondents that the applicant shall deposit decretal amount along with future interest at 15.5% within eight (8) weeks from today. Subject to deposit decretal amount as mentioned above. There shall be ad-interim relief in terms of prayer clause (b).

4. It is made clear that if the applicant fails to deposit the amount as directed above, the interim relief shall stand vacated without further reference to the court.

5. Civil Application stands disposed of.

(AMIT BORKAR, J.)