

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

**INTERIM APPLICATION NO. 3162 OF 2023
IN
FIRST APPEAL NO. 746 OF 2019**

State Bank of India ... Applicant

IN THE MATTER BETWEEN

Federal Bank Ltd. ... Appellant

Versus

State Bank of India and Anr. ... Respondents

.....

Ms. Fatima Lakdawalla, for the Applicant and Respondent No.1 in
FA No. 746 of 2019.

Mr. Rajkumar R. Gaikwad, for the Appellant.

.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 29th MARCH, 2023.

P.C.

Heard learned Counsel for the applicant/respondent No.1 and
learned Counsel for the Appellant.

2 Decretal amount has already been deposited by the
appellant. Learned Counsel for the respondent No.1-State Bank of
India submits that they are ready to give an undertaking in case the

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Appeal succeeds, the bank would refund the entire decretal amount with accrued interest.

3 In that view of the matter, application is allowed in terms of prayer clause (a), which reads as under;

“ (a) Hon’ble Court be pleased to allow the present Application and permit the Applicant/ original Applicant No.1 Bank to withdraw Rs.36,28,842/- (Rupees Thirty Six Lakhs Twenty Eight Thousand Eight Hundred and Forty Two only) with interest accrued lying deposited with Superintendent, City Civil and Sessions Court, Greater Mumbai.”

subject to the undertaking as stated above to be given in the Registry. Liberty to tender the undertaking in the Registry.

4 Application stands disposed of.

[PRITHVIRAJ K. CHAVAN, J.]