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

**INTERIM APPLICATION NO.1665 OF 2019
IN
SECOND APPEAL NO.149 OF 2021**

Maharashtra Jeevan Pradhikaran Mumbai & Ors. ...Applicants
Versus
M/s. C.R. Construction,
Sangli & Anr. ...Respondents

Mr. Amey Pitale, i/b. Mr. Ajit Ram Pitale, for the Applicants.

Mr. Suyash Gadre, for the Respondents.

**CORAM : MADHAV J. JAMDAR, J.
DATED : 4th JANUARY 2023**

P.C. :

1. Heard Mr. Amey Pitale, learned counsel appearing for the Applicants and Mr. Suyash Gadre, learned counsel appearing for the Respondents.
2. By order dated 7th April 2021, this Court has granted stay on the condition that bank guarantee will be furnished on the 50% of balance amount of Rs.48,12,129/-.
3. The decree is for Rs.18,32,013/- with 15% per annum

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compound from the date of the suit i.e. 30th April 2009 till realization of the entire amount. The decretal amount with interest is of Rs.4812,129/-. It is admitted position that 50% of the said amount has been deposited in the Executing Court and as far as 50% amount is concerned, bank guarantee is given by the Applicants.

4. The Second Appeal is admitted by separate order dated 4th January 2023.

5. As the entire decretal amount is secured, the Interim Application is allowed in terms of prayer clause (a) on the condition that the said bank guarantee will be renewed till the disposal of the Second Appeal.

6. Learned Executing Court is directed to invest the amount which has been deposited before the learned Executing Court in the nationalized bank initially for a period of three years and thereafter for suitable periods till disposal of the Second Appeal.

7. The Interim Application is disposed of in above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]