

Sayali Upasani

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**INTERIM APPLICATION NO.4965 OF 2022
IN
WRIT PETITION NO.- 1757 OF 2007**

Ratilal Ravji

...Applicant/
Org. Respondent

In the matter between

Tata Sports Club

...Petitioner

Vs.

Ratilal Ravji

...Respondent

Mr. Mr. Arshad Shaikh, Senior Counsel with Mr. Netaji Gawde
i/b Sanjay Udeshi and Co., for the Petitioner.

Adv. Zia Sayyed a/w Adv. Advait Kulkarni i/b Jay and Co., for
Applicant/Org. Respondent.

CORAM:- N. J. JAMADAR, J.

DATED:- 20th MARCH, 2023

PC:-

1) Heard the learned Counsel for the applicant and the
learned Counsel for the respondent/petitioner.

2) The applicant/original respondent has preferred this
application, seeking permission to withdraw an amount of

Rs.2,50,000/-, deposited by the petitioner in terms of the order dated 24th June, 2008.

3) Upon deposit of the said amount, the award dated 11th May, 1999, passed by the Labour Court, has been stayed. Pursuant to the order dated 24th June, 2008, the applicant was permitted to withdraw an amount of Rs.2,50,000/-. The applicant seeks further withdrawal.

4) The application is resisted on behalf of the petitioner. The office report indicates that the balance amount, which came to be reinvested, has aggregated to Rs.6,93,115/-.

5) In the instant application, the applicant has ascribed reasons to support the claim for withdrawal of the amount. It is asserted that the applicant is facing financial difficulties and his wife has undergone major operations.

6) The Petition is instituted in the year 2007. Disposal of the petition may take time. In the circumstances, having regard to the reasons ascribed in the application, it may be expedient to allow the applicant to withdraw a further sum of Rs.2,50,000/, subject to furnishing an undertaking to bring back the said amount along with interest at such rate as may be directed by

the Court, in the event, it is held that the applicant is not entitled to the amount awarded by the Labour Court.

7) The balance amount be reinvested in a fixed deposit initially for a period of one year.

8) The application stands disposed.

[N. J. JAMADAR, J.]