



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

919 CIVIL APPLICATION NO. 8536 OF 2022
IN SECOND APPEAL NO. 735 OF 2015

VANDANA HARIDAS BHADARGE
VERSUS
SUNDAR MARIBA TONGRAO AND OTHERS

...
Ms. Surekha N. Devmane – Advocate for Applicant
Mr. M.M. Patil – Beedkar – Advocate for Respondent No.1
....

CORAM : SANDIPKUMAR C. MORE, J.
DATE : 27th August, 2024

PER COURT :

1. Heard rival submissions.
2. The applicant/respondent No. 1 in this appeal has filed this application for withdrawal of amount of Rs.1,20,000/- deposited in the Executing Court by the present appellant. It appears that, as per order dated 10th February, 2016 of this Court the aforesaid amount has been deposited. Further, the appropriation of said amount is final outcome of this appeal.
3. Learned Counsel for the respondent No.1/appellant submits that, undertaking to that effect he obtained, if the said amount is released. The appellant/respondent No.1 as per the aforesaid order

has not deposited the amount regularly but for that purpose the execution proceeding has been filed.

4. At this juncture only the withdrawal of whatever amount deposited by the appellant/respondent No.1 in the Executing Court can be permitted. In view of the same, the application stands allowed and the applicant is permitted to the withdraw the amount of Rs.1,20,000/- deposited in the Executing Court by respondent No.1/ appellant on furnishing usual undertaking as per the order of this Court dated 10th February, 2016 alongwith the accrued interest thereon till date.

5. The Civil Application is accordingly disposed of.

[SANDIPKUMAR C. MORE]
JUDGE