



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 69 OF 2018

M/s. Panvel Co-op. Urban Bank Ltd.

...Appellant.

Versus

Ashok Govind Karmalkar.

...Respondent.

Mr. Rahul Oak and Ms. Divya Wadekar for the Appellant.
Mr. Sachin Raje for the Respondent.

Coram : Sharmila U. Deshmukh, J.

Date : April 16, 2024.

P. C. :

1. Learned counsel appearing for the appellant, on instructions, seeks permission to withdraw the appeal. He further seeks permission to withdraw the amount of Rs.8,36,000/- deposited in this Court pursuant to the order dated 20th February 2018 as condition a stay along with the interest accrued on the said amount of Rs. 8,36,000/-.

2. Learned counsel appearing for the appellant tenders a memorandum of settlement executed between the appellant and the respondent. The same is taken on record. As per the terms of settlement, the appellant has agreed to pay the respondent a lump

sum amount of Rs.12,00,000/- immediately after receipt of amount of Rs.8,36,000/- plus interest which lying in this Court. The statement made in the memorandum of settlement would constitute an undertaking given to this Court.

3. Second appeal is disposed of as withdrawn. Permission is granted to the appellant to withdraw the amount of Rs.8,36,000/- deposited in this Court pursuant to the order dated 20th February 2018 along with the interest accrued on the said amount of Rs.8,36,000/-.

4. In view of the disposal of Second Appeal, Civil/Interim Application taken out in this Appeal, if any, does not survive and the same is disposed of.

[Sharmila U. Deshmukh, J.]