

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12500 OF 2025

M/s. Kukreja Development Corporation	...Petitioner
<i>Versus</i>	
General Manager Canara Bank through Premises Division	...Respondent

Mr. Surel Shah, Senior Advocate a/w. Mr. H. N. Thakore, Ms. Jyoti Ghag, Mr. Shailesh Prajapati i/b. Dua Associates, for the Petitioner.
Mr. Darshit Rupda i/b. MDP Legal, for the Respondent.

CORAM: MADHAV J. JAMDAR, J.
DATED : 24th SEPTEMBER 2025

PC:-

1. Heard Mr. Shah, learned Senior Counsel appearing for the Petitioner and Mr. Rupda, learned Counsel appearing for the Respondent.

2. Mr. Shah, learned Senior Counsel submits that, amount deposited by the Respondent is as per the decree passed by the learned Appellate Court dated 6th December 2024 in Appeal No.72 of 2023. He submits that he has instructions to withdraw the present Writ Petition with liberty to file Review Petition as the said

mistake in calculation will be pointed out to the learned Appellate Court by filing Review Petition.

3. Accordingly, the Writ Petition is allowed to be withdrawn with liberty as sought.

4. For the purpose of enabling the Petitioner to file Review Petition, the order dated 11th September 2025 passed by the learned Appellate Court in MARJI Application No.99 of 2025 in P. Appeal No.72 of 2023 in T.E. & R. Suit No.104/134 of 2011 shall not be executed for a period of 15 days from today.

5. Accordingly, the Writ Petition is allowed to be withdrawn and disposed of, subject to above.

6. It is clarified that the contentions of both the parties proposed to be raised in such Review Petition are expressly kept open.

[MADHAV J. JAMDAR, J.]