

Sharada

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

INTERIM APPLICATION NO.3903 OF 2025
IN
MISCELLANEOUS PETITION NO.9 OF 2021

Ishi Avinash Tantia

...Applicant

In the matter of:

Avinash Tantia

...Petitioner.

SHARADA
RANGNATH
WAHULE

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SHARADA
RANGNATH WAHULE
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Mr. Vikrant D. Shetty for the Applicant.

CORAM : R.I. CHAGLA J.

DATE : 6th August, 2025.

ORDER :

1. By this Interim Application, the Applicant has sought direction to the Accounts Officer, High Court, Bombay to handover to the Applicant the amount lying in the Fixed Deposit with Union Bank of India, Mahapalika Marg, Mumbai Branch being the sum of Rs.67,38,104/- alongwith accrued interest thereon, if any, as shown in the Certificate of Balance issued by the Accounts Officer, High Court bearing Serial No.7485, Cause No.9 of 2021, Ledger No.66 dated 3rd May, 2025.

2. The present Interim Application is taken out in the disposed of Miscellaneous Petition No.9 of 2021. By the said Order dated 29th November, 2021, the Miscellaneous Petition had been made absolute in terms of prayer Clause (a) to the extent it concerns the property forming the subject matter of the Deed of Conveyance dated 28th December, 2012 – Exhibit-B to the Petition. The Petition was also allowed in terms of prayer Clause (b) viz. Permitting the Petitioner to sell the subject property to the purchasers. In the operative part i.e. Para 4 (iii) of the said order, this Court had directed the amounts deposited to be transferred to the Accounts Officer, who shall collectively invest the same in a Fixed Deposit of a Nationalized Bank, initially for a period of one year, to be renewed for a further period of one year. Liberty was given to the minor upon attaining majority, to apply. In exercise of such liberty, the present Interim Application has been taken out applying for withdrawal of the amounts deposited.

3. The Applicant who was a minor when the Miscellaneous Petition No.9 of 2021 had been disposed of by the said Order dated 29th November, 2021, has thereafter attained majority on 17th March, 2025. The copy of the Birth Certificate is annexed at Exhibit-C to the

Interim Application.

4. The Applicant has also referred to request made by the Advocate for the Applicant to the Accounts Officer, High Court, Bombay for issuance of Certificate of Balance standing to the credit of the Applicant in their books. Pursuant to which the Certificate of Balance dated 3rd May, 2025 was obtained and has been annexed at Exhibit-D to the Interim Application.

5. The Applicant states that she has become entitled to the amounts as shown in the Certificate of Balance, Exhibit-D to the Interim Application and has accordingly sought directions to the Accounts Officer of this Court to hand over the amounts lying in the Fixed Deposit to her.

6. I have considered the averments in the Interim Application as well as the Order dated 29th November, 2021 passed by this Court disposing of the Miscellaneous Petition. It is in the disposed of Miscellaneous Petition that the present Interim Application has been taken out pursuant to the liberty given to the Petitioner that upon the said minor attaining majority the Petitioner

may apply to this Court for withdrawal of the amounts deposited. In view thereof and considering that the minor has attained majority, the relief sought for in the Interim Application requires to be granted.

7. In view thereof, the Interim Application is made absolute in terms of prayer Clause (a).

8. Interim Application is accordingly disposed of.

[R.I. CHAGLA J.]