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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

930 WRIT PETITION NO. 15430 OF 2025

Bessy Kuzhimannile Mathew

VERSUS

Bank Of Baroda Through Its Authorized Officer

.....

Mr. Rajat J. Malu, Advocate for Petitioner

Mr. Satyajeet Vakil, Advocate for Respondent

.....

CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.

DATE : 28 JANUARY, 2026

PER COURT [Per Hiten S. Venegavkar, J.] :-

1. After hearing the learned advocate for the petitioner, it was appropriate to inquire with the advocate for the respondent appearing for the Bank as to whether the amount which has been paid towards the sale consideration can be refunded in principal. Learned advocate appearing for the Bank, upon taking instructions, makes a statement that the principal amount that has been paid towards sale consideration will be refunded by the Bank within a period of four weeks from today. The said statement is accepted as an undertaking to this Court.

2. Learned advocate for the petitioner, upon instructions, makes a statement that at present the petitioner will accept the amount so deposited as sale consideration in principal. The petitioner's advocate seeks leave of this Court to agitate his claim regarding the interest component on the principal amount.

3. As the petitioner has agreed to accept the principal amount deposited by him with the respondent Bank, the petitioner is directed to return the sale certificate issued by the Bank in his favour.

4. The petitioner is at liberty to adopt appropriate proceedings for the recovery of the interest component along with ancillary charges from the respondent Bank. In case any question of limitation arises, the pendency of the present petition may be taken into consideration while deciding the same.

5. In view of the above, nothing survives for adjudication in the present petition. Accordingly, the writ petition stands disposed of.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE