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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 61 OF 2026
IN
CIVIL REVISION APPLICATION NO. 87 OF 2010**

Bhaskar Gudda Shetty

...Applicant/Appellant

Versus

Ramesh G. Kamath & Ors.

...Respondents

Adv. I. M. Khairdi (through VC) a/w. Adv. Rushikesh S. Kekane for the
Applicant/Appellant.

None for the Respondents.

CORAM : M. M. SATHAYE, J.

DATED : 9th JANUARY 2026

P.C.:

1. Heard learned Counsel for the Applicant.
2. This is an Application by Revision Applicant in a disposed-of Civil Revision Application, seeking direction to the Nazir Department/concerned office of the Small Causes Court at Mumbai, to allow the Applicant to withdraw the amount deposited with it, with accrued interest.
3. Learned Counsel for the Applicant has pointed out the consent terms dated 21/06/2024 and the order of the same date, by which the consent terms were accepted and the Civil Revision Application was disposed of. Respondents have already agreed under Clause 10 of the Consent Terms to permit such withdrawal and it is already recorded that the Respondents have no objection to such withdrawal.
4. Learned Counsel for the Applicant submits that there is some

discrepancy in the amount mentioned in the Clause 10 and the actual amount lying with the concerned office and therefore the Applicant is not being permitted to withdraw the amount.

5. Perused the consent terms. Civil Revision Application is already disposed of. Learned Counsel for the Applicant states that the possession of the suit premises is already handed over, pursuant to the consent terms. Statement is accepted. Considering the aforesaid position, notice of this Application to the Respondents is dispensed with.

6. **The Interim Application is allowed.** The Nazir Department /concerned office of the Small Causes Court is directed to permit the Applicant to withdraw, whatever amount deposited in the account of the RAD Suit No. 413 of 1996, alongwith accrued interest, if any.

7. Since this order is passed in absence of Respondents, liberty to the Respondents to move.

8. The Interim Application is disposed of in above terms.

(M. M. SATHAYE, J.)