

(Spl.-H.C.A.S.,C.D.,78-e)

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF BOMBAY AT GOA
APPELLATE SIDE

MISCELLANEOUS CIVIL APPLICATION NO. 192 OF 2004.

Office Note, Office Memoranda
of Quorum, appearances, Court's
orders or directions and
Registrar's orders.

Court's or Judge's Orders

Mrs. A.A. Agni, Advocate for the
Applicants.

Mr. D. Pangam, Advocate for the
Respondents.

Coram : P.V. HARDAS AND
N.A. BRITTO, JJ.

Date : 29th March 2004.

P.C.: Heard Mrs. Agni, learned
counsel for the
applicants/respondents in First
Appeal No. 150 of 2003 and Mr.
Pangam, learned counsel appearing
for the respondents/original
appellants. Towards the compliance
of the Order of this Court, the
appellants had deposited an amount
of Rs. 21,70,956/-, which has been
invested in a Fixed Deposit of a
Nationalized Bank. By this
application the
applicants/respondents in First
Appeal have prayed that the

applicants be permitted to withdraw an amount of Rs. 5 lakhs from out of the amount deposited by the respondents/original appellants, so as to meet the expense of undergoing Angiography and by-pass surgery, if necessary. Accordingly, the applicants are allowed to withdraw the amount of Rs. 5 lakhs from out of the amount deposited by the respondents/original appellants on the following conditions:-

1. The applicants/original respondents shall furnish bank guarantee for 50% of the amount to be withdrawn and shall furnish adequate surety for the balance amount of 50% to the satisfaction of the Registrar.

2. The applicants/original respondents shall give an undertaking that they will refund the amount with interest as and when required to do so.

2. Miscellaneous Civil Application
is, accordingly, allowed with no
order as to costs.

P.V. HARDAS, J.

N.A. BRITTO, J.

ed's.