

CASE NO.:
Appeal (civil) 1509 of 2008

PETITIONER:
KAMAL AND COMPANY

RESPONDENT:
ANTWERPSE DIMANT BANK N.V

DATE OF JUDGMENT: 22/02/2008

BENCH:
P.P. Naolekar & Lokeshwar Singh Panta

JUDGMENT:
JUDGMENT
O R D E R

CIVIL APPEAL NO.1509 OF 2008
[ARISING OUT OF SLP (CIVIL) NO.18446 OF 2006]

1. Leave granted.
2. Heard learned counsel for the parties.
3. During the pendency of the appeal before the High Court, the execution of the decree passed by the learned Single Judge in Summary Suit No.3297 of 1999 shall remain stayed provided the appellant deposits Rs.50 lac with the Prothonotary & Senior Master of the Bombay High Court. It is submitted by learned senior counsel for the appellant that the amount has already been deposited. The respondent shall be at liberty to withdraw the said amount on furnishing bank guarantee of a scheduled bank situated at Bombay, which shall remain operative till the disposal of the appeal before the Division Bench of the High Court.
4. The appeal stands disposed of accordingly.