

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO. 155 OF 2017**

Jivratna Medi Treat Pvt Ltd ...Applicant
Versus
The ICICI Bank Ltd ...Respondents

CIVIL REVISION APPLICATION NO. 180 OF 2017

The ICICI Bank Ltd ...Applicant
Versus
Jivratna Medi Treat Pvt Ltd ...Respondents

Mr Prasad Dani, Senior Advocate, i/b Suraj S Shah, for the Applicant in CRA/155/17 & Respondent in CRA/180/17.
Mr Girish Godbole, a/w Mr Mayur Bhojwani & Ms Prangana Barua, i/b M/s. Manilal Kher Ambalal & Co for the Applicant in CRA/180/17 and for the Respondent in CRA/155/17.

**CORAM: G.S. PATEL, J
DATED: 6th November 2017**

PC:-

1. Rule in both matters.
2. As regards the principal amount of mesne profits in the sum of Rs. 5,92,04,880/-, this amount is deposited with the Appellate Court and has been invested. On a reconsideration, this decretal

amount has been reduced to Rs. 3,86,23,830/-, i.e., by Rs.2,05,81,050.

3. Mr Godbole for ICICI Bank submits that the bank should be permitted to withdraw this differential against an undertaking to bring it back with interest at the same rate it earns today.

4. Having regard to the nature of the parties, this order of withdrawal is quite unnecessary. The invested funds will remain as they are till the disposal the civil revision application.

5. In the meantime, the impugned order is stayed.

(G. S. PATEL, J)