

**THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**INTERIM APPLICATION (L) NO. 3638 OF 2026
IN
COMMERCIAL EXECUTION APPLICATION NO. 80 OF 2023**

Sowil Limited **...Applicant**
V/s.
Executive Engineer (Public works Department) **...Respondent**
WITH
INTERIM APPLICATION NO. 3692 OF 2023

Mr. Shardul Singh with Mr. Navankur Pathak and Mr. Smeet i/b Saikrishna and Associates for the Applicant.
None for the Respondent.

CORAM : **ABHAY AHUJA, J.**
DATE : **24th FEBRUARY, 2026**

PC. :

1. This Interim Application seeks withdrawal of the amount deposited by the Respondent in this Court.
2. Mr. Singh, learned Counsel appears for the Applicant and submits that on 22nd January, 2026, this Court had granted liberty to the Applicant to take out an appropriate application for withdrawal of the amount deposited in this Court. That pursuant to the said liberty, the present Application has been filed. That the said Application has also been served on the Respondents on 18th February, 2026 and yet there has been no response nor anyone appears today despite

vakalatnama having been filed. Mr. Singh submits that even the working of the amount mentioned in paragraph-7 of the order dated 22nd January, 2026 has not been furnished till date.

3. Mr. Singh submits that considering that the Applicant is MSME and salary of workers have to be paid, this Court may permit withdrawal of the amount deposited in this Court by the Respondent. Mr. Singh also submits that the amount deposited in this Court is short of the calculation of the claim made by the Applicant, however, considering that there has been a considerable delay and expenses towards the worker's salary have to be made, this Court may permit withdrawal without any security as there is no challenge to the award and even the challenge that was instituted by way of a Writ Petition has been dismissed on 1st July, 2024.

4. Considering the above submissions, issue notice to the Respondents, returnable on the next date.

5. It is made clear that if none appears for the Respondents on the next date or no reply is filed within a period of three weeks with copy to the other side, this Court will pass appropriate orders on the next date, after considering the aforesaid submissions.

6. If reply is filed in the time granted, then rejoinder be filed within a period of two weeks thereafter with copy to the other side.
7. Let objections to the Interim Application be removed and registered number be obtained by the next date.
8. List on **15th April, 2026**.

(ABHAY AHUJA, J.)