

Banking - Deposit in terms of interim orders of court - Refund - Deposit of Rs. 40 crores made with the Registry of the High Court in terms of the interim order in the writ petition was made only to establish the bona fides of the appellants in support of the offer made by them - Writ Petition itself was held not to be maintainable and the offer made by the loanees was rejected by the Bank - Following, *Axis Bank v. SBS Organics (P) Ltd.*, (2016) 12 SCC 18, where it was held that the deposit was made to maintain an appeal before the DRAT was neither a 'secured asset' nor a 'secured debt' which could be proceeded against and that the appellant before DRAT was entitled to refund of the amount so deposited and that the bank had did have a general lien over such deposit in terms of Section 171 of the [Contract Act, 1872](#) - In the instant case also, the money was expressly to be treated to be with the Registry of the High Court - Loanee are entitled to withdraw the sum deposited by them.

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