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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.6653/2015
IN
WRIT PETITION NO.3675/2015

M/s Saj Enterprises, Pune.
...Applicant.

Versus

Sanjay Kashinath Kale.
...Respondent...

.....
Shri K.D. Khade, Advocate for applicant.
None for respondent.

.....

CORAM: SUNIL P. DESHMUKH, J.

DATE: 10.07.2015

ORDER :

1] Earlier this civil application had appeared before the Court on 19.6.2015 when the respondent had sought time. Today, nobody appears for the respondent.

2] Aforesaid civil application is moved by the decree holder in Special Civil Suit No.2004/2010 decided by the Civil Judge, Senior Division, Pune, of which execution has been prosecuted in the Court at Beed.

3] The applicant was directed by this Court to deposit a sum of Rs.5,00,000/- by 20.4.2015 and rest of the

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amount by 20.7.2015 under order dated 1.4.2015 in Writ Petition No.3675/2015.

4] The payment of Rs.10,00,000/- pursuant to Clause 2 of the order could not be complied with and as such Civil Application No.5708/2015 was moved by respondent herein for extension of time. The learned Single Judge had extended period by one week, however, it is being submitted that payment by the said date has also not been complied with.

5] The decree-holder has moved this application for withdrawal of Rs.5,25,000/- deposited in this Court as a sum of Rs.25,000/- was deposited on 23.2.2015 and sum of Rs.5,00,000/- was deposited on 20.4.2015.

6] The entitlement of the applicant as decree holder is not in dispute. Under the circumstances, I deem it appropriate to allow the applicant – decree holder to withdraw the aforesaid amount. As such the civil application is allowed in terms of prayer clause (B) and disposed of.

(SUNIL P. DESHMUKH, J.)