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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1785 OF 2014 IN
FIRST APPEAL NO.182 OF 2013

Maharashtra Electricity Distribution
Company Limited ...Applicant
vs.
M/s.Balbir Alloys (P) Ltd. ...Respondent

Ms A.R.S.Baxi for the applicant
Mr.Haresh Jagtiani, Senior Advocate and Mr.Suprash
Jain i/b Haresh Jagtiani & Associates for the
respondent

CORAM : A.S.OKA, &
REVATI MOHITE DERE, JJ.
DATE : JULY 23, 2015

P.C.:

1 Heard the learned counsel for the applicant and the learned Senior Counsel for the respondent. Perused the orders dated 21st February 2013 and 26th March 2013.

2 The applicant is the original defendant. The suit filed by the respondent was dismissed and the counter claim filed by the applicant was decreed. The amount deposited by the respondent is the decretal amount.

3 The applicant is willing to secure the amount by furnishing adequate security.

4 Hence, we dispose of the application by passing the following order:

- (I) It will be open for the applicant (respondent in the First Appeal) to withdraw the entire amount deposited by the respondent in this Court together with interest accrued thereon subject to furnishing adequate security for the said amount to the satisfaction of the Registrar (Judicial-I) of this Court;
- (II) Before accepting the security, the Registrar (Judicial-I) shall give an opportunity of being heard to the respondent;
- (III) Civil Application is accordingly disposed of.

(REVATI MOHITE DERE,J.)

(A.S.OKA,J.)