

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CIVIL APPLICATION (CAF) NO.2366 OF 2014

AND

CIVIL APPLICATION (CAF) NO.3533 OF 2014

IN

FIRST APPEAL NO.1330 OF 2013

(Maharashtra Industrial Development Corporation ..vs.. Sau. Shantabai Gyanchand Kothari and
others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M.M. Agnihotri, Advocate for the applicant,
Shri U.J. Deshpande, Advocate for the non-applicant No.1,
Shri M.A. Kadu, AGP for the non-applicant Nos.2 and 3.

CORAM : Z.A. HAQ, J.

DATED : 06-02-2015

These are the applications filed by the applicant praying for permission to deposit the amount as per the impugned order. Considering the facts of the case, the applicant is permitted to deposit the amount. The applicant undertakes to deposit the amount within two weeks from today.

If the amount is deposited within the stipulated time, the interim order granted by this Court on 27-11-2013 shall continue, until further orders. If the amount is not deposited within the stipulated time, the interim order shall stand vacated.

If the amount is deposited within the stipulated time, the non-applicant No.1 is permitted to withdraw 50% of the amount on furnishing solvent surety to the

satisfaction of the learned Registrar (Judicial) of this Court. In addition, the non-applicant No.1 shall file an undertaking to the satisfaction of the learned Registrar (Judicial) of this Court, to the effect that in case at the time of hearing of the appeal, it is found that the non-applicant No.1 is not entitled for the amount permitted to be withdrawn by her, the non-applicant No.1 shall redeposit the amount with interest as would be determined by this Court within the stipulated time. The balance amount shall be kept in fixed deposit in a Nationalised Bank initially for the period of three years, to be renewed every year till the decision of the appeal.

The civil applications are disposed in the above terms.

JUDGE

pma