

FARAD CONTINUATION SHEET NO.
 IN THE HIGH COURT OF JUDICATURE AT BOMBAY
 APPELLATE SIDE, BENCH AT AURANGABAD
CIVIL APPLICATION NO.4151 OF 2016
IN
CONTEMPT PETITION NO.592 OF 2015
IN
WRIT PETITION NO.7739 OF 2008.

Abrar Ahmed Mohammad Ishaq Vs. Nidhi Pande and others.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.S.V.Dixit, advocate holding for Mr.Patel Sameer Shaikh, advocate for the Petitioner.
 Mr.S.S.Dande, A.G.P. for the State.

**CORAM : S.V.GANGAPURWALA AND
 K.K.SONAWANE, JJ.**
Date : 22.04.2016.

PER COURT :

1. Heard.
2. The present application is for withdrawal of amount of Rs.47,88,180/- (Rupees forty seven lacs eighty eight thousand one hundred eighty only) deposited by the non-applicant, pursuant to the award passed.
3. Mr.Karad, learned counsel submits that the non-applicant is ready to offer TDR to the applicant. In fact, the applicant had requested for TDR before the Award is passed. Now the non-applicant is ready to give TDR to the applicant.

4. According to Mr.Dixit, learned counsel the said offer is made prior to the award being passed and at that time the non-applicant did not consider the request of the present applicant, as such subsequently the award is required to be passed. Whether to accept the TDR or not is the choice of the present applicant.

5. Considering the fact that the award is already passed, the non-applicant will be bound to deposit the amount as per the award. The amount deposited in this Court is pursuant to the award, as such there would be no impediment for applicant to withdraw the amount.

6. The Civil Application is allowed in terms of prayer clause (A). The Civil Application is disposed of.

7. Stand over to 10.6.2016.

(K . K . SONAWANE , J .)

(S . V . GANGAPURWALA , J .)

Dt.22.04.2016.

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