

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.**

**CIVIL APPLICATION NO. 11788 OF 2017
IN
FIRST APPEAL NO. 2184 OF 2016**

Rukminbai Kishanrao Kejgir **Applicant.**

Versus

Maharashtra Industrial Development
Corporation, Latur and others **Respondents.**

Smt. Savita E. Madne, Advocate for applicant.

Mr. S.S. Dande, Advocate for respondent No.1.

Mrs.M.A. Deshpande, A.G.P. for respondent No.2.

Mr. A.B. Kale, Advocate for respondent Nos.9-1 to 9-6

CORAM : **R.D. DHANUKA &
SUNIL K. KOTWAL, JJ.**

Dated : 14-09-2017.

PER COURT :-

1. By this Civil Application, the applicant seeks order and direction against Registry to re-issue Demand Draft of Rs. 8,33,978/- in favour of the applicant.

2. Learned Counsel appearing for the applicant states that pursuant to the order passed by this Court, the Registry, Bombay High Court,

Bench at Aurangabad had issued a Demand Draft dated 12.04.2017 in favour of the applicant for the sum of Rs. 8,33,978/-. He submits that the said Demand Draft, however, has been mis-placed by his client. On instructions, the learned Counsel states that the said amount has not been deposited by his client within the validity period of 3 months from the date of issuance of the said Demand Draft. He states that his client has verified from the Registry that no such Demand Draft has been deposited either by the applicant or by anybody else. The statement is accepted.

3. In view of these circumstances, the Registry, Bombay High Court, Bench at Aurangabad is directed to re-issue the Demand Draft in the name of the applicant in the sum of Rs. 8,33,978/- on the condition that the applicant files an undertaking with the learned Registrar (Judicial) of this Court to the effect that in case any claim arises based on the said mis-placed Demand Draft, the applicant would be responsible and in that event would reimburse the amount.

4. Civil Application is disposed of in aforesaid terms. No order as to costs.

(SUNIL K. KOTWAL)
JUDGE

(R.D. DHANUKA)
JUDGE

vdd/