

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

FIRST APPEAL NO. 774/2015.

Satish Agrawal s/o Lt. M.L. Agrawal

-VERSUS-

Chidambara Resorts Pvt. Ltd. And another.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : B.P. DHARMADHIKARI &
MRS. SWAPNA JOSHI, JJ.

DATE : JANUARY 10, 2017.

Heard Shri M. Shareef, learned Counsel
for the appellant and Shri R. Chhabra, learned
Counsel for respondent no.2 Bank. None appears
for respondent no.1.

2. Respective counsel state that out of
total claim amount of Rs.15 Crores, the appellant
and respondent no.1 have paid an amount of Rs.
12,00,27,000/- to respondent no.2. Thus, an

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amount of Rs. 2,99,73,000/- with some interest is now to be received by the respondent no.2.

3. Shri Shareef, learned counsel for the appellant upon instructions states that respondent no.2 has agreed to grant time till 31.03.2017 to complete that payment.

4. Shri Chhabra, learned counsel for respondent no.2 has no objection if entire amount now in balance is cleared by the said date. However, it should be as a last chance and the appeal should not be kept pending.

5. In the light of joint request, we direct the appellant to pay the balance amount of Rs. 2,99,73,000/- with such interest and other amount as may be due and payable to respondent no.2 by 31.03.2017. The appellant undertakes to clear the said payment.

6. Accordingly accepting that undertaking and by giving time to the appellant till 31.03.2017 for completing the payment as mentioned above, we grant request of Shri Shareef, learned counsel for the appellant to

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dispose of the appeal as withdrawn. No costs.

7. Refund of court fees is allowed as per rules.

JUDGE

JUDGE

Rgd.