

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (S) NO.873 OF 2017

IN

SECOND APPEAL NO.220 OF 2015

SMT. LAXMIBAI WIDOW OF ASHOKKUMAR JAIN

VS

DASHRATH SON OF LAXMANRAO KILOLIYA THROUGH LRS 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 A. Shelat, Advocate for the appellant.

CORAM : A.S. CHANDURKAR, J.
DATED : AUGUST 11, 2017.

The original plaintiff seeks permission to re-deposit the amount of balance consideration. The trial Court had decreed the suit for specific performance and directed the plaintiff to deposit amount of Rs.1,69,300/-. This amount was accordingly deposited. However, the appeal preferred by the defendant was allowed and the suit came to be dismissed. Therefore, the plaintiff withdrew the aforesaid amount that was deposited by him. Now the second appeal filed by the plaintiff has been admitted and therefore, it is prayed that the plaintiff be permitted to re-deposit the aforesaid amount.

Shri P. S. Chawhan, learned Counsel for the respondent nos.2 to 7 does not oppose the prayer made in the application. Hence, the application is allowed in terms of its

prayer.

Civil application is disposed of.

JUDGE

/MULEY/