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

**CIVIL APPLICATION NO.7548 OF 2018
IN
FIRST APPEAL NO.4261 OF 2018**

Uddhav s/o Lodharam Bhatija,
Age: 75 years, Occ: Business,
R/o. D-203, Veer Savarkar Road,
Vikroli, Mumbai 400079 ..APPLICANT

VERSUS

Laxmi w/o Naresh Chandnani,
Age: 41 years, Occ: Farmer,
R/o. 18, Bairasiya Road,
Indhi Colony, Sayare,
Dist. Bhopal, Madhya Pradesh
& ors. ..RESPONDENTS

Mr A.G. Talhar, Advocate for applicant;
Mr A.P. Bhandari, Advocate for respondent Nos.1,
2(a) and 3;

**CORAM : PRASANNA B. VARALE &
MANISH PITALE, JJ.**

DATE : 3rd OCTOBER, 2018

ORAL ORDER :

By way of application, the applicant -
original respondent No.1 made two fold prayers;
firstly for early hearing of the appeal by giving
fixed date and secondly direction to the lower

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Court to deposit the amount in fixed deposit in any of the nationalized bank.

2. Insofar as first prayer is concerned, the appeals prior to appellant's appeal of year 2016 are pending and awaiting their turn for hearing disposal, as such, the applicant is permitted to revive his request after eight weeks.

3. Insofar as second prayer is concerned, learned Counsel appearing for the appellant also has no objection for the direction to the Court below.

4. Accordingly, we allow the application partly and direct the lower Court i.e. Court of Civil Judge, Senior Division, Kopargaon, District Ahmednagar, to invest the amount of Rs.2.80 crores deposited in Special Civil Suit No. 40 of 2008 in any nationalised bank at Kopargaon, District Ahmednagar initially for a period of three years.

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5. Civil Application is disposed of
accordingly.

(MANISH PITALE)
JUDGE

(PRASANNA B. VARALE)
JUDGE

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