

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

913 CIVIL APPLICATION NO.10551 OF 2018
IN FA/129/2007 WITH CA/979/2007 IN FA/129/2007 WITH
CA/4609/2008 IN FA/129/2007 WITH CA/1312/2009 IN
FA/129/2007 WITH CA/1324/2009 IN FA/129/2007 WITH
CA/2379/2011 IN FA/129/2007 WITH CA/9207/2011 IN
FA/129/2007 WITH CA/8584/2018 IN FA/129/2007

NARENDRAKUMAR SHIVPRASADJI MALIWAL
VERSUS
ASHOKKUMAR NANDLA @ GIRDHARILAL MALIWAL AND ORS

...
Advocate for Applicant : Mrs. Dube Anjali (Bajpai)
AGP for Respondent/State : Mrs. D.S. Jape
Advocate for Respondents 1 to 3 : Mr. S.V. Dixit
...

**CORAM : T.V. NALAWADE AND
SMT. VIBHA KANKANWADI, JJ.**
DATED : 07/12/2018.

PER COURT :

1. Civil Application No. 10551/2018 is filed by the respondent, original defendant for permission to withdraw the cost amount which is ordered to be deposited by this Court in appeal. Amount is deposited by the appellant, but the appeal is still pending. In view of the pendency of appeal and considering the possibility that the appellant may win, the amount cannot be given to respondent, original defendant. So, the application is rejected.

2. Both the sides submit that the main matter may itself be fixed for final hearing. As per convenience of both the sides, stand over to 28.1.2019.

[SMT. VIBHA KANKANWADI, J.]

[T.V. NALAWADE, J.]

ssc/