

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

901 CIVIL APPLICATION NO. 10132 OF 2018
IN
FA/723/2018

NASEEM BEGUM @ NASEEN FIRDOUS
W/O IMRAN KHAN
VERSUS
IMRAN KHAN S/O JABBAR KHAN

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Mr. M.V.Ghatge, Advocate for Applicant.
Mr. V.P.Kadam, Advocate for Respondent.

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CORAM : V.L.ACHLIYA, J.
DATE : 8th AUGUST, 2018

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ORAL ORDER :

1. The applicant – original respondent has moved this application for appropriate direction to pay the cost amount of Rs. 25,000/- deposited by respondent – original applicant pursuant to the order dated 15/02/2018 passed in C.A. No. 1872 of 2018 in First Appeal No. 73 of 2018.
2. Heard learned counsel for the applicant and respondent and perused the order dated 15/02/2018.
3. By the Order dated 15/02/2018, the application moved by the appellant was rejected with cost of Rs. 25,000/- to be payable by the applicant to the respondent in Appeal i.e. present applicant.
4. Learned counsel for the applicant submits that as there is no specific order/direction to pay the amount of cost to the applicant, the office has refused to entertain the request of the applicant to withdraw the amount. On the other hand, learned counsel for the appellant submits that the appellant is ready and willing to cohabit

with the present applicant.

5. On due consideration of the submissions advanced in the light of order passed, it is apparent that application has been rejected with cost of Rs. 25,000/-. Since the application moved by the applicant rejected with cost of Rs. 25,000/- on merit, the applicant is entitled to receive the cost amount. I am, therefore, inclined to allow the application and permit the applicant to withdraw the amount of cost deposited by the respondent. The application is allowed in terms of prayer clause 'A'.

6. The application disposed of in above terms.

[V.L.ACHLIYA]
JUDGE

KNP/C.A. 10132.2018 in F.A. 723.2018