

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

910 CIVIL APPLICATION NO.4379 OF 2018
IN SA/448/2015

PUNDLIK UKHA KANKHARE
VERSUS
THAGUBAI LAXMAN KANKHARE AND OTHERS

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Advocate for Applicant : Shri Patil Vijay B.
Advocate for Respondent nos.7/1 to 7/4 : Shri A.D. Sonar
Advocate for respondent no.1: Smt.Varsha S. Thakur
Advocate for respondent nos.1 to 4: shri V. P. Patil

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CORAM: V.L. ACHLIYA, J.

DATE: 09.10.2018

PER COURT :

1] The applicant / appellant has moved this application for permission to withdraw the amount of Rs.30,000/- deposited in compliance of order dated 7.9.2015 passed by this Court. It is submitted that as appeal is disposed of, the applicant is entitled to withdraw the amount.

2] Learned counsel for the respondents have no objection to allow the applicant to withdraw the amount.

3] On due consideration of submissions advanced in the light of order dated 7.9.2015 passed in the matter and the Second Appeal No.448/2015 disposed of by judgment and

- 2 -

order dated 11.4.2017 by this Court, I am of the view that the applicant be allowed to withdraw the amount.

4] Accordingly, the application is allowed in terms of prayer clause [B]. The amount of Rs.30,000/-, if invested, then the amount be refunded to the applicant together with interest, if any accrued thereon till the date of withdrawal of the amount. The application is disposed of in above terms.

(V.L. ACHLIYA, J.)