

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION NO.728 OF 2017

IN

WRIT PETITION NO.8071 OF 2014

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr. T.D. Deshmukh, Advocate for the Applicant.
None for the Respondent.

CORAM : R. G. KETKAR, J.

DATE : 24/01/2018

[In Chambers at 2:35 p.m.]

PC.:

1. Heard Mr. T.D.Deshmukh, learned Counsel for the applicant.
2. Perused the order dated 24.11.2017. Despite specific directions the opponent did not remain present in this Court with fresh undertaking. In view thereof, by order dated 24.11.2017, the bailable warrant was issued to the opponent - Sushil Ghanshyam Agarwal in the sum of Rs.10,000/-. The police attached to Market Yard Police Station, Market Yard, Pune were directed to extend full cooperation for implementation of the order and to ensure presence of Sushil Ghanshyam Agarwal on the next date of hearing. Mr. Deshmukh states that the applicant in this application/original respondent has received the possession from the opponent/original petitioner. In the order dated 10.11.2017, the statement made on behalf of the opponent in this application that in pursuance of the order

dated 12.10.2017 the opponent has paid Rs.5,60,000/- to the applicant on 1.11.2017 and the said fact was confirmed by Mr.Deshmukh, was recorded.

3. In view thereof, as the opponent has handed over possession to the applicant herein, theailable warrant issued on 24.11.2017 is cancelled.

4. In view of the above, Civil Application No.728/2017 stands disposed of.

(R. G. KETKAR, J.)