

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

MCA NO.939/2016 IN FIRST APPEAL ST. NO.8776/2009 (R.C. 293/2009)

[The Oriental Insurance Company Limited .vs. Bhaskar s/o Namdeo Baghe and others]

.....
Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

.....
Shri D.N. Kukday, Advocate for Appellant,
Shri O.Y. Kashid, Advocate for Respondent Nos.4(c) & 4 (d).
.....

CORAM : MRS. SWAPNA JOSHI, J.

DATED : AUGUST 10, 2018.

This is an application filed by the appellant for setting aside the order dated 07.07.2009 passed by the Registrar (Judicial) and for restoration of First Appeal St. No.8776/2009 to file.

Heard the learned counsel for the parties.

For the reasons mentioned in the application, the application is allowed. The order dated 07.07.2009 passed by the Registrar (Judicial) is hereby set aside. The First Appeal St. No.8776/2009 is restored to the file.

M.C.A. stands disposed of.

CIVIL APPLICATION [O] NO.1375/2018

This is an application filed by the appellant for permission to withdraw the appeal.

It is submitted by the learned counsel for the appellant that the decretal amount has been deposited by the appellant in M.A.C.T. at Akola. It is submitted that in view thereof nothing survives in the appeal. It is submitted that the amount of statutory deposit of Rs.25,000/- may kindly be refunded to the appellant along with interest accrued thereon.

The permission to withdraw the appeal is granted, so also the appellant is entitled for refund of the amount of statutory deposit of

Rs.25,000/-, as prayed.

The application is allowed. The First Appeal stand disposed of as withdrawn.

JUDGE

Gulande