

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

CAF NO.847/2018 IN FIRST APPEAL NO.1213/2017

[Executive Engineer, VIDC .vs. Mahesh Damodhar Bhutada and one]

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

Court's or Judge's orders

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Mrs. U.A. Patil, Advocate for applicant-appellant,
Shri A.B. Darekar, Advocate for respondent no.1,
Mrs. Mrunal Naik, AGP for respondent no.2.

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CORAM : MRS. SWAPNA JOSHI, J.

DATED : JULY 31, 2018.

The learned counsel for the appellant seeks leave to correct the figure in the amount in the application as well as in the prayer clause. Leave granted. Amendment be carried out forthwith.

Heard.

This is an application filed by the applicant for transfer of amount deposited as decretal amount to the First Appeal St. No.1039/2017.

The learned counsel for the applicant submits that the amount of Rs.52,66,645/- was wrongly deposited in the present appeal i.e. First Appeal No.1213/2017, vide Cheque No.004655 dated 23.08.2017, vide Pursis St. No.10897/2017 dated 31.08.2017, however, it should have been deposited in the First Appeal St. No.1039/2017.

The learned counsel for respondent no.1 and learned A.G.P. for respondent no.2 do not object for the same.

In view of the facts and circumstances, the following order is passed :

(i) The application is allowed with a direction to transfer the amount of Rs.52,66,645/- deposited vide Cheque No.004655 dated 23.08.2017, vide Pursis St. No.10897/2017 dated 31.08.2017 in the First Appeal St. No.1039/2017.

(ii) With this order, the application stands disposed of.

JUDGE