

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.S. NO.976/2018 IN SECOND APPEAL NO. 480/2016

(SURESHKUMAR SHANKARLAL MIGLANI & ANOTHER **VERSUS** DEVENDERKUMAR CHAMANLAL
 BATRA & OTHERS)

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

Court's or Judge's orders

 Shri S.K. Bhandarkar, counsel for the appellants/non-applicants.
 Shri R.R. Srivastava, counsel for R-1/applicant.

CORAM : A.S. CHANDURKAR, J.

DATE : SEPTEMBER 03, 2018.

By this application, it is prayed that the applicant-respondent no.1 be permitted to withdraw the amounts deposited in this Court as well as before the District Court pursuant to the interim orders passed in the proceedings.

In the application it is stated that the second appeal has been decided on 19.07.2018 and hence the application deserves to be allowed.

The application is opposed by learned counsel for the original appellants on the ground that the judgment of this Court is under challenge before the Hon'ble Supreme Court.

Considering averments made in the application, the respondent no.1 is permitted to withdraw amount of Rs.5,00,000/- with accrued interest that has been deposited in this Court and further amount of Rs.2,40,000/- with accrued interest that is deposited with the District Court. This is subject to filing an undertaking in this Court within a period of one week from today that in case, further orders are passed against the applicant-respondent no.1 herein before the Hon'ble Apex Court, he shall deposit the same as and when directed.

The civil application is disposed of.

JUDGE

APTE

Rohit
Dattatraya
Apte

Digitally signed by
Rohit Dattatraya Apte
Date: 2018.09.04
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