

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

C.A.S. NO.1128/2018 IN SECOND APPEAL NO. 501/2017

(SURESH GANPATRAO CHINCHMALATPURE **VERSUS** RAMSANJIWAN RAMBHAROSE SAHU)

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

Court's or Judge's orders

Shri A.V. Bhide, counsel for the appellant.
 Shri P.M. Pande, counsel for the respondent.

CORAM : A.S. CHANDURKAR, J.

DATE : SEPTEMBER 11, 2018.

By this application, it is prayed that the order dated 21.08.2018 passed on C.A.S. No.964 of 2017 to the extent it directs the defendant no.1-present appellant to deposit an amount of Rs.70,000/- be modified and waived.

In the application, it is stated that pursuant to the decree passed by the trial Court, amount of Rs.2,38,000/- has been deposited and hence it would not be necessary for the appellant to further deposit amount of Rs.70,000/-.

According to the learned counsel for the respondent no.1, the decretal amount carries interest and hence no modification is called for.

Considering the fact that amount of Rs.2,38,000/- has already been deposited by present appellant before the trial Court, the direction issued to the defendant no.1 to deposit the amount of Rs.70,000/- in this Court is waived by modifying the said order. Civil application is allowed and disposed of.

JUDGE

APTE
 Rohit
 Dattatraya
 Apte

Digitally signed by
 Rohit Dattatraya Apte
 Date: 2018.09.12
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