

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

C.A.S. NO.1214/2018 IN SECOND APPEAL NO. 201/2017

(NIRMALKUMAR RAMVILAS RATHI VERSUS ABDUL RASHEED BASHIR AHMAD)

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

Court's or Judge's orders

Shri S.N. Bhattad, counsel for the appellant/non-applicant.
 Shri R.J. Mirza, counsel for the respondent-applicant.

CORAM : A.S. CHANDURKAR, J.

DATE : SEPTEMBER 25, 2018.

By this application, it is prayed that the respondent in the appeal be permitted to withdraw an amount of Rs.1,50,000/- that has been deposited by the appellant as a condition for staying the execution of the decree.

The application is opposed by the learned counsel for the appellant on the ground that the Second Appeal has been admitted and hence no permission be granted to withdraw the said amount.

Perused the impugned judgment. In the facts of the case, the respondent in the appeal is permitted to withdraw amount of Rupees One Lakh subject to furnishing solvent surety to the satisfaction of the Registrar of the District Court. The remaining amount shall remain invested in Fixed Deposit.

Civil application is allowed in aforesaid terms and disposed of.

JUDGE