

## IN THE HIGH COURT OF JUDICATURE AT BOMBAY

## CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.408 OF 2019

IN

WRIT PETITION NO.4141 OF 2018

(Punjab National Bank Vs. Chunilal and Company)

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| <b>Office Notes, Office Memoranda of Coram, appearances, Court's orders, or directions, and Registrar's Orders</b> | <b>Court's or Judge's orders</b> |
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Mr. Sudhan Y. Amare for Applicant.  
Mr. Jitendra M. Pathade for Respondent.

**CORAM : R. G. KETKAR, J.****DATE : 09<sup>TH</sup> APRIL, 2019****P.C.:**

Heard Mr. Amare, learned Counsel for the applicant and Mr. Pathade, learned Counsel for the respondent.

2. By this Application, applicant has prayed for directing the respondent to pay the difference amount of Rs.33,52,609.33/- to the applicant forthwith. Mr. Amare has tendered calculations dated 09.04.2019, which is taken on record and marked 'A' for identification. Mr. Pathade has also tendered calculations dated 09.04.2019, which is taken on record and marked 'B' for identification. According to the applicant, it has paid excess amount of Rs.61,35,257/- to the respondent. As against this, it is the case of the respondent that only Rs.27,038.50/- is payable to the applicant.

3. In view thereof, learned Counsel for the parties jointly submit that matter may be referred to the Decree Department of the Small Causes Court at Mumbai. Parties assure that they will produce the calculations tendered today in the Court before the Decree Department on 15.04.2019. The Decree Department shall submit the report within two weeks therefrom.

4. All parties, including the Decree Department of the Small Causes Court at Mumbai to act upon the authenticated copy of this order.

**(R. G. KETKAR, J.)**

*Minal Parab*