

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No. 884/2017
in
Rejected Case No.166/2009

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mrs. Poonam Mittal for the Applicant

CORAM : K.K.TATED, J.
DATED : APRIL 22, 2019

P.C.

Heard. By this Civil Application, the Applicant is seeking refund of Rs.25,000/- deposited by them at the time of filing First Appeal (ST) No.18638/2005.

2 The learned counsel for the Applicant submits that the First Appeal stood dismissed in view of the conditional order passed by this court. She submits that in the interest of justice this Hon'ble Court be pleased to allow the Applicant to withdraw the said amount of Rs.25,000/- along with accrued interest, if any, without furnishing any security.

3 Considering the submissions made by

the learned counsel for the Applicant and as the First Appeal itself stood dismissed, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

4 Hence, the following order:

- a) The Applicant is permitted to withdraw the sum of Rs.25,000/- deposited by them at the time of filing the First Appeal, along with accrued interest, if any, without furnishing any security
- b) Civil application stands disposed off accordingly.
- c) No order as to costs.

(K.K.TATED, J.)