

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
Civil Application (f) No. 1947/2019
IN
FIRST APPEAL NO. 791/2006 (D)
(The State of Maharashtra and another vs. Devisingh Lacchu Rathod
(Dead) Through LRs)

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

Court's or Judge's order

.....
Mr. M J Khan, Adv. for appellant-State
Mr. Mayank Agnihotri, Advocate for LRs of respondents

CORAM: MRS.SWAPNA JOSHI, J.

DATED : 29th April, 2019.

The legal representatives of original respondent have filed an application for return of bank guarantee. It is submitted that vide order dated 25th July 2006 this Court had directed the appellants to deposit the decretal amount with the Registry of this Court. Accordingly, the appellants have deposited an amount of Rs.1,78,56,229 in this Court. This Court permitted vide order dated 25th June, 2009 to the respondent to withdraw the said amount on furnishing bank guarantee. Accordingly bank guarantee was furnished on 14.11.2009 for withdrawal of the decretal amount. On 6.7.2010 the appeal came to be dismissed and the cross objection filed by the respondent has been partly allowed. In the circumstances, the LRs of respondent are entitled for return of the bank guarantee. Hence the order:

ORDER

The bank guarantee submitted by the respondent pursuant to the

order dated 25th June 2009 be returned to the legal representatives of respondent, by the Registry of this Court.

Civil Application stands disposed of.

JUDGE

sahare