

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**CIVIL APPLICATION NO. 761 OF 2020**  
**IN**  
**FIRST APPEAL NO. 749 OF 2004**

(Maharashtra Industrial Development Corporation Vs. Baliram Chandu Rathod)\_

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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 orders.

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Shri Sharad Thakre, counsel for the appellant.  
Shri D.G.Patil, counsel for the respondent no.1.

**CORAM : ANIL S KILOR, J.**  
**DATE : 21st FEBRUARY, 2020.**

Appellant-MIDC has moved this application for transfer of amount deposited in this Appeal to First Appeal No.227 of 2004.

2. Shri. Thakre, learned counsel for the appellant submits that wrongly the amount has been deposited in the present Appeal instead of depositing the same in First Appeal No. 227 of 2004. He therefore prays for direction to the Registry of this Court to transfer the said amount from this Appeal to First Appeal No.227 of 2004.

3. Shri D.G.Patil, learned counsel for the respondent has no objection, if the application is allowed.

4. For the reasons stated in the application, the application is allowed.

5. Accordingly, Registry is directed to

transfer the said amount from the present Appeal to First Appeal No.227 of 2004.

6. Application is disposed of.

**CIVIL APPLICATION NO. 3935 OF 2019**

**IN**

**FIRST APPEAL NO. 227 OF 2004**

Respondent no.1/original claimant has moved this application for grant of permission to withdraw the deposited decretal amount.

2. Today, this Court in First Appeal No. 749 of 2004 has allowed the Civil Application no. 761 of 2020 and directed the Registry to transfer the amount wrongly deposited in First Appeal No.749 of 2004 to First Appeal No.227 of 2004.

3. Appellant-MIDC has no objection if the permission is granted to the respondent to withdraw the said amount.

4. In view of the said order, the present application for permission to withdraw the amount deposited in this Court is allowed.

5. Respondent no.1 is permitted to withdraw the said amount.

6. Accordingly, application is disposed of.

**JUDGE**