

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

CAS No.16/2020 IN Second Appeal No.313 of 2010

Jawaharlal Motilalji Chobe since deceased through LR's and others

Vs.

Smt. Ramkuwar w/o Surajprasad Awasthi.

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

Court's or Judge's order

.....
Shri A.V. Khare, Advocate for the Appellants.
Ms. Kirti Deshpande, Advocate holding for
Shri Rajnish Vyas, Advocate for Respondent no.1.

CORAM : MILIND N. JADHAV, J.

DATED : 15/01/2020.

Heard Shri A.V. Khare, learned counsel appearing for Applicants and Ms. Kirti Deshpande, learned counsel appearing for Respondent no.1 (Original Plaintiff).

2. Second Appeal No.313/2010 came to be disposed of on 17.10.2019. During pendency of the Appeal, the Appellants had been directed to furnish security to the tune of Rs.5,00,000/-. Accordingly, the Appellants had tendered bank guarantee of Rs.5,00,000/- bearing no.8761IPEBG150001 towards security. The Second Appeal came to be allowed in favour of the Appellants.

3. Therefore, by the present application, the

Appellants are seeking discharge of bank guarantee, which had been submitted and seek return of the same. The learned counsel appearing on behalf of the contesting Respondent no.1 (Original Plaintiff), has no objection to the relief, as prayed for in the present application. Accordingly, Civil Application No.16/2020 is allowed, in terms of the prayer clause, as stated therein.

4. Registry of this Court is directed to return bank guarantee of Rs.5,00,000/- bearing no.8761IPEBG150001 to the Appellants within a period of two weeks from the date of intimation of this order.

5. Civil Application is disposed of accordingly.

JUDGE

Ambulkar