

HIGH COURT OF CHHATTISGARH, BILASPUR**FA No. 44 of 2019**

- Hanuman Prasad Agrawal S/o Late Gopiram Aged About 54 Years R/o Thana Road ,near Handi Chowk ,Raigarh, Tahsil And District : Raigarh, Chhattisgarh
- Smt. Anita Agrawal W/o Hanuman Prasad Agrawal Aged About 49 Years R/o Thana Road ,near Handi Chowk, Raigarh, Tahsil And District : Raigarh, Chhattisgarh

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1. Tejram Dansena S/o Late Mukutram Aged About 59 Years R/o Village Kalmi ,Raigarh, Tahsil And District : Raigarh, Chhattisgarh
2. State Of Chhattisgarh Through Collector, Raigarh, District : Raigarh, Chhattisgarh

--- Respondents

For Appellant/s	:	Mr. Manoj Paranjpe, Advocate.
For Respondent No.1	:	Mr. H.S. Patel, Advocate.
For State/Respondent No.2	:	Mr. Ravish Verma, G.A.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava**Hon'ble Smt. Justice Vimla Singh Kapoor****Order On Board****14/06/2021**

1. Heard on application (I.A. No.3/2021) for withdrawal of the appeal.
2. Learned counsel for the appellants would submit that during the pendency of this appeal, entire decretal amount of Rs.49,01,100/- has been deposited in the CCD account of the learned trial Court on 22.03.2021. The copy of receipt has already been placed on record as annexure-A. He submits that this satisfies the decree passed in favour of the respondent and against the appellants. He would submit that the entire decretal amount has been deposited towards full and final satisfaction of the decree, he does not wish to press this appeal.
3. The factual averments stated in the application and as stated before this Court by learned counsel for the appellants have not been disputed by learned counsel for the respondent that the amount as stated has been deposited in full and final satisfaction of the decree. He however submits that the Court below may be directed to release the amount in favour of the plaintiff/decreed holder.

4. Considering the submissions of learned counsel for the parties, placing on record the submission of learned counsel for the appellants and the admission of factual statements made on affidavit in the application by learned counsel for the respondent during the course of hearing, the appeal is dismissed as withdrawn.
5. The decretal amount deposited by the appellants in the CCD account of the Court below as stated in the application shall be permitted to be withdrawn by the plaintiff/decreed holder.
6. No order as to costs.
7. Let appellate decree be accordingly drawn.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge