

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

934. CIVIL APPLICATION NO.3127 OF 2020
IN CRA/199/2017

ARUN PIRAJI MISTRI
VERSUS
PREMCHAND MANAKCHAND LADDHA SINCE DIED
THROUGH L.RS. PUSHPABAI PREMCHAND LADDHA AND OTHERS

Mr A.I. Deshmukh, Advocate for applicant
Mr. D.B. Shinde, Adv. for respondents No. 1/A to 1/C.

CORAM : N.J. JAMADAR, J.

DATE : 17th March, 2021

PER COURT :

Heard the learned Counsel for the parties.

2. The Civil Revision Application came to be disposed of by the judgment dated 21st March 2018.

3. While disposing of the said Civil Revision Application, this Court, *inter-alia*, had directed as under:

"14. Respondent undertakes to pay to applicant the sum of Rs. 1,50,000/- (Rs. One lakh fifty thousand only) as voluntary human act. An undertaking to that effect be filed within eight weeks. Upon receipt of said amount under an

instrument of payment, applicant shall issue proper receipt of the same to the respondent."

The respondent has deposited the amount of Rs. 1,50,000/- in terms of the said order. Hence this application by the applicant for withdrawal of the amount.

4. While passing the aforesaid direction, it seems, the expectation of this Court was that the amount would be paid by the respondent to the applicant under a proper receipt. Since the respondent has deposited the amount in this Court, there can be no impediment in allowing the applicant to withdraw the amount. Hence the following order.

O R D E R

- (I) The application stands allowed in terms of Prayer Clause (B).
- (II) The Civil Application stands disposed of.

(N.J. JAMADAR)
JUDGE