

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

Civil Application (F) No.1086/2021 in First Appeal No.102/2015 (D)

VIDC V Sahebrao Ghuge and others

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

Court's or Judge's Orders

Shri V.K. Paliwal, Adv for resp. nos. 1(A) to 1(B).

CORAM : S.M. MODAK, J.

DATE : 18th JUNE, 2021.

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. The appeal is already disposed of due to non filing of the paper book. The appeal stands disposed of at the end of 23-07-2015. Learned Advocate Shri Paliwal submitted that thereafter again it was dismissed. However, I do not find such order in the record.

3. Learned Advocate Shri Paliwal is kind enough to inform the Court about the message of learned Advocate Shri Parihar for the appellant. The appellant intends to take steps for restoration. They are at liberty to take steps but withdrawal cannot be halted as already more than sufficient period is over. The appellant has deposited Rs. 2,53,554/-. Hence, the order :-

ORDER

- (a) The Nazir is directed to transfer an amount of Rs. 2,53,554/- along with accrued interest in the bank account of respondent no.1(B). The respondent no.1(A) is consenting.
- (b) The respondent nos.1(A) and 1(B) are directed to furnish an undertaking that they will return the amount if directed by the Court in view of desire of the appellant to file restoration application.
- (c) Application is disposed of.

JUDGE

Deshmukh