

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CIVIL APPLICATION (CAF) NO. 1428 OF 2020

IN
FIRST APPEAL NO. 241 OF 2013

Life Insurance Corporation of India, thr. Its Divisional Manager and anr.

..vs..

Murlidhar Tirthadas Rajdeo and ors.

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

Court's or Judge's orders

Shri P.P. Kothari, Advocate for applicants.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 21/01/2021

The applicants herein have sought transfer of the amount of Rs.18,78,779/- to the District Court, Akola.

2. The said amount was deposited before this Court as per the order dated 16.04.2013 in First Appeal No. 241 of 2013. Subsequently, the said First Appeal No. 241 of 2013 came to be transferred to the District Court, Akola in view of revision of pecuniary jurisdiction and the same was thereafter registered as R.C.A. No. 181 of 2015.

It is stated that said appeal has been disposed of and in execution R.D. No. 49 of 2018 an amount of Rs.4,62,460/- has been paid to the respondents. It is also stated that as regards the issue of mesne profit, the matter was mutually compromised and an amount of Rs.17,53,515/- has been paid to the respondents. Learned Counsel for the applicants states that the amount of Rs.18,78,779/- which was deposited before this Court needs to be refunded and for the said purpose the said amount needs to be transferred to the District Court, Akola.

4. In view of the above, the application is allowed. The amount of Rs.18,78,779/- deposited before this Court in compliance with order dated 16.04.2013, be transferred to the District Court, Akola.

5. The Civil Application stands disposed of accordingly.

JUDGE

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