

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

Civil Application (CAF) No. 893 of 2021
in
Second Appeal No. 182 of 2021 (decided)

Madan s/o Tulshiramji Sakhre and another
Versus
Sashichandra s/o Dhruvnarayan Jaiswal and another

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms. S.O.Tapadiya, Advocate for the applicants.

CORAM : ANIL S. KILOR, J.
DATED : 9th DECEMBER, 2021.

This is an application filed by the appellant/
applicants for refund amount of Rs.18,79,594/-
deposited vide CCDR No. 28763 dated 9th September,
2021 and CCDR No. 28805 dated 23rd September,
2021 alongwith accrued interest thereon.

2. The second appeal no. 182 of 2021 was
allowed by this Court vide judgment dated 27th
October, 2021 in favour of the appellant.

3. This Court while granting stay to the money decree directed the appellant to deposit the principle amount of Rs.18,79,594/-, in pursuance to the said direction, the amount was deposited in this Court. In view of the fact that the appeal has been allowed by this Court and it was held that the claim of the plaintiff was barred by limitation, the application is allowed.

4. Registry is requested to refund the amount of Rs.18,79,594/- deposited vide CCDR No. 28763 dated 9th September, 2021 and CCDR No. 28805 dated 23rd September, 2021 alongwith accrued interest, if any.

5. The civil application is disposed.

[ANIL S. KILOR, J.]

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