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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.2846 OF 2022
WITH
FIRST APPEAL STAMP NO.12725 OF 2021**

Haj Committee of India	... Appellant
V/s.	
B.E. Billimoria and Company Ltd.	... Respondent

Mr. Mahesh Shukla i/b Mr. Niraj Prajapati for the Appellant.
Mr. Piyush Deshpande i/b Yash Jariwala for the Respondent.

CORAM : S. M. MODAK, J.

DATED : 26TH AUGUST 2022.

PC:-

1. Heard learned Advocate for the Appellant/Applicant and learned Advocate for the Respondent.
2. Though as per order dated 5th August 2022, the Appeal was to be listed today, it is not listed, hence circulation is sought by way of praecipe.
3. The trial Court as per the judgment dated 21st January 2020 was pleased to decree the money suit of the Respondent-Plaintiff. The following direction was given :-

- “1. Suit is partly decreed with cost.
2. Defendant is directed to pay sum of Rs.14,92,799/- to Plaintiff alongwith interest at the rate of 9% p.a. on the principal amount of Rs.14,92,799/- from 22.06.1989 till

realisation of the amount.

3. Decree be drawn accordingly.”

4. As per said directions the Applicant/Defendant has deposited the demand draft in name of the Registrar of this Court for an amount of Rs.14,92,799/- and yet they have to deposit the amount along with interest as directed by the trial Court. The Applicant undertakes to deposit the amount within a period of four weeks. That undertaking is accepted. In view of that stay to execution of decree granted by this Court on 5th August 2022 is made absolute till the final disposal of the Appeal. The Respondent is at liberty to ask for withdrawal of the amount and it will be considered on merits.

5. Interim Application is disposed of.

(S. M. MODAK, J.)