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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 11602 OF 2016

WITH

CIVIL APPLICATION NO. 1224 OF 2017

WITH

CIVIL APPLICATION NO. 1311 OF 2017

NISHIGANDH SAHANIWAS CO-PETITIONER
PERATIVE HOUSING SOCIETY LIMITED

V/s.

SMT. KUSUM VENKATESH SHET AND ORSRESPONDENTS

Mr. K. P. P. Nair, Chairman of Petitioner-Society present in person
None for Respondent

CORAM : NITIN W. SAMBRE, J.

DATE: JULY 13, 2022.

P.C.:

1) Chairman of the Petitioner-Society Mr. K. P. P. Nair is personally present in the Court and has placed on record copy of Execution Application No. 597/2018 and Rozanama in the said proceedings and he has also tendered the proceedings i.e. Rozanama dated 25/06/2019 maintained by the City Civil Court, Mumbai i.e. 12th Additional Sessions Judge in the proceedings being Execution Appln/

0100597/2018 Smt. Kusum Venkatesh Shet V/s. Smt. Kalpana Umesh Kerkar and Nishigandh Sahaniwas CH Ltd and Ors. Said documents are taken on record and marked as 'X' and 'Y' respectively for the purpose of identification. According to Mr. Nair, Execution Application No.597/2018 is already disposed of as there is full satisfaction of order dated 12/12/2014.

2) In view of the aforesaid documents and prayer made by Mr. Nair who claims to be Chairman of the Petitioner-Society, Petition is permitted to be withdrawn.

3) Mr. Nair claims that Petitioner-Society has deposited the amount of Rs. 1,50,000/- in this Court and in view of satisfaction of the Decree, said amount be permitted to be refunded to the Petitioner-Society.

4) Office to verify and process the request of Chairman of Petitioner-Society for such refund, expeditiously.

[NITIN W. SAMBRE, J.]