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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 69 OF 2022  
WITH  
INTERIM APPLICATION NO. 1794 OF 2015  
IN  
SECOND APPEAL NO. 355 OF 2016**

Smt. Archana Anilkumar Kasture ...Applicant

**IN THE MATTER OF**

Sau. Bharti Trymbak Chaudhari ...Appellant

Versus

Smt.Archana Anilkumar Kasture & Ors....Respondents

.....  
Mr. Milind Sathaye for the Applicant.  
Mr. Prashant Jadhav for the Original Appellant.

.....

**CORAM: V.G.BISHT, J.**  
**DATE: 21<sup>st</sup> February, 2022**

**PC:-**

**INTERIM APPLICATION NO. 69 OF 2022**

1. The applicant has moved this application for withdrawal of an amount of Rs. 4,00,000/- deposited by the original appellant pursuant to the judgment and decree dated 29<sup>th</sup> November, 2014 passed by learned 2<sup>nd</sup> Jt. C.J.S.D., Malegaon in Special Civil Suit No. 102 of 2010.

2 Heard learned counsel for both the parties. Learned counsel for original appellant has objected the application.

3. In view of submissions made by learned counsel for the applicant, the applicant is allowed to withdraw an amount of Rs. 4,00,000/- deposited in District Court, Malegaon. The applicant is further directed to give an undertaking before District Court of returning the said amount in the event of appeal being allowed with prevailing rate of interest.

4. Interim application is allowed and accordingly disposed of.

**SECOND APPEAL NO. 355 OF 2016**

1. Learned counsel for the original appellant submits that hearing of the second appeal be expedited.

2. Place this appeal on **29<sup>th</sup> March, 2022** for final hearing.

**(V.G.BISHT, J. )**