

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

CIVIL APPLICATION (CAF) NO.1715/2022
IN
FIRST APPEAL NO.165/2006

Rakeshkumar s/o Shikharachand Jain and another
Vs.

Prakash s/o Prabhudas Malviya and another

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

Court's or Judge's orders

Shri V.V. Bhangde, Advocate for appellants

CORAM : SMT. M.S. Jawalkar, J.
DATED : 19/08/2022

Heard.

2. The present application is filed for giving direction to the Registry to transfer the amount of Rs.2,11,000/- vide C.C.D. No.2463 to the District Judge, Nagpur.

3. In view of the order initially passed by this Court dated 11/09/2008, the appellants were directed to deposit an amount of Rs.2,11,000/- which was alleged to be earnest amount. These directions were issued for grant of stay. Subsequently, the appeal was transferred to the District Court, Nagpur in view of amendment to Maharashtra Civil Courts Act and administrative directions were issued vide High Court Circular. On transfer of the appeal, the same was registered as Regular Civil Appeal No.650/2012. The said appeal came to be allowed vide judgment and

decree dated 16/07/2022 and suit came to be dismissed and plaintiff was not entitled for refund of earnest money.

4. In view thereof, the amount so lying with this Court along with accrued interest needs to be transferred to the District Court, Nagpur.

5. Accordingly, Registry is directed to transfer the amount of Rs.2,11,000/- along with accrued interest deposited by the appellants, to the Registry of District Court, Nagpur.

6. The application stands disposed of.

JUDGE

R.S. Sahare