

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

CIVIL APPLICATION (CAF) NO.2112/2022

IN

FIRST APPEAL NO.1021/2010 (D)

The Maharashtra Industrial Development Corporation

Vs.

Smt. Asha wd/o Balkrushna Vispute 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 P.L. Sagdeo, Advocate h/f Shri M.M. Agnihotri,
Advocate for appellant
R.M. Tiwari, Advocate h/f Shri C.A. Joshi, Advocate for
respondent no.1
Shri A.M. Kadukar, AGP for respondent no.2

CORAM : SMT. M.S. JAWALKAR, J.

DATED : 13/10/2022

The present application is filed for modification of order dated 23/08/2022. It is submitted by the learned Counsel for applicant that permission was granted to withdraw the remaining amount as it was only for Rs.1,40,000/- was already withdrawn. However, after verifying the report, it was found that though permission was granted vide order dated 22/10/2010 to withdraw the amount of Rs.1,40,000/- no amount was withdrawn. The amount was lying with the Court. As such, he seeks permission to withdraw the total amount deposited to Rs.2,84,507/-.

2. I have gone through the farad sheet, there is no reference of withdrawal of amount of Rs.1,40,000/- by the respondent. As such application is allowed.

3. The applicant/respondent no.1 is permitted to withdraw Rs.2,84,507/- along with accrued interest.

4. The Registry to disburse the total amount of Rs.2,84,507/- along with accrued interest in the account of respondent no.1 after verifying that amount of Rs.1,40,000/- is not withdrawn by the applicant earlier.

5. The amount be disbursed within one week.

JUDGE

R.S. Sahare