

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**935 CRIMINAL APPLICATION NO.3372 OF 2022
IN WP/142/2022**

**BHAUSAHEB SABAJI NILE
VERSUS
THE SANGAMNER MERCHANTS CO-OP BANK LTD.,
SANGAMNER THROUGH VIJAY DAYAKISAN BAJAJ**

Mr. Avinash R. Salve, Advocate for the applicant
Mr. Aditya N. Sikchi, Advocate for the respondent

CORAM : KISHORE C. SANT, J.

DATE : 13th JANUARY, 2023

P. C.

1. This is an application for withdrawal of the amount deposited in this court towards cheque. The parties are also litigating before the DRT, Aurangabad. Therefore, objection is raised pointing out that before the DRT the applicant has stated that amount of Rs.1,25,000/- has been deposited after the account of the applicant was declared as NPA in the proceeding under Section 138.

2. Thus, be that as it may, the present application is

(2)

criapln3372.22

allowed without prejudice to the parties and subject to proceeding before the DRT. The applicant to withdraw the amount deposited in this court. This order shall not come in the way of the parties determining the rights before the appeal.

[KISHORE C. SANT, J.]

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