

Dusane

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

**SECOND APPEAL NO.554 OF 2022
WITH
INTERIM APPLICATION NO.16814 OF 2022**

M/s Padma Plast through
Milind Namdev Bartakke

...Appellant

V/s.

Maharashtra State Electricity
Distributin Co. Ltd. through
Executive Engineerm Ratnagiri

...Respondent

Mr. Nrupal A. Dingankar with Mr. Siddharth A.
Mehta i/by Mr. Abhishek Salian for Appellant.

Ms. A.R.S. Baxi for Respondent.

**CORAM: MADHAV J. JAMDAR, J.
DATE: 5th APRIL 2023**

P.C.:

- 1.** Not on board. Upon mentioning taken on board.
- 2.** Mr. Dingankar, learned Counsel appearing for the Appellant states that the Appellant has paid the dues as per the settlement with Maharashtra State Electricity Distribution Company Limited and therefore nothing survives in the Second Appeal. He states that he has instructions to withdraw the Second Appeal.

3. Mr. Dingankar also states that during pendency of the Second Appeal, the Appellant has paid an amount of Rs.2,59,003/- before the learned Court of Civil Judge, Junior Division, Khed, District Ratnagiri on 11th August 2022 in compliance with the order dated 26th July 2022 passed in Interim Application No. 16814 of 2022 in Second Appeal No. 554 of 2022. He states that as the dispute in Second Appeal is settled and the Appellant has made payment of dues as per said settlement to the Maharashtra State Electricity Distribution Company and therefore the Appellant has withdrawn the dispute in the Second Appeal, the Appellant be allowed to withdraw the amount deposited by him.

4. The Appellant is allowed to withdraw the said amount of Rs.2,59,003/- deposited before the Court of Civil Judge, Junior Division, Khed, District Ratnagiri alongwith interest, if any.

5. Accordingly, the Second Appeal is allowed to be withdrawn and dismissed as such.

(MADHAV J. JAMDAR, J.)