

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAS) NO. 406 OF 2022
IN
SECOND APPEAL NO. 169 OF 2016

SHRI. RAMCHANDRA S/O. BHAYYALALJI WADBUDHE (DEAD) THR. LRS. 1) YAMUNA RAMCHANDRA
WADBUDHE AND ORS.

...VERSUS...

SHRI. MADHUKAR S/O. BHAYYALALJI WADBUDHE

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

Court's or Judge's order

Shri Mohd. Zahid Shekhani, Advocate for appellants.
Shri Vidit Lohia, Advocate h/f. Shri D.R.Khapre, Advocate for respondent.

CORAM : SMT. M. S. JAWALKAR,J.
DATE : 01st MARCH, 2023

The present application is filed by the respondent for withdrawal of amount deposited by the appellant.

2. It appears that by order dated 04/10/2017 passed by this Court, the appellant was directed to deposit the occupation charges, and the respondent is seeking permission to withdraw the same.

3. I do not see any impediment in allowing the present application, however, subject to the undertaking. Accordingly, the application is allowed. The respondent is hereby permitted to withdraw the said amount.

4. Nazir is hereby directed to release the amount deposited by the appellant in favour of the respondent, subject to furnishing his

undertaking, within a period of two weeks, to the effect, that he will refund/deposit the amount, if the appellant succeeds in the matter.

5. Accordingly, the application is disposed of.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar