

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

**CIVIL APPLICATION (CAS) NO. 453 OF 2023**  
**IN**  
**SECOND APPEAL NO. 291 OF 2012 (D)**

SYED ISRAR S/O. ABDUL SATTAR

...**VERSUS**...

QUAZI ARIFODDIN S/O. QUAZI IKRAMODDIN (DEAD) THR. LRS. AKTARUNNISA WD/O. QUAZI ARIFODDIN  
AND ORS.

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

*Court's or Judge's order*

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Shri Syed Ateeb, Advocate for LR's. of respondent no. 1/applicants.

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

**DATE : 18<sup>th</sup> APRIL, 2023**

In spite of granting ample opportunity, no reply is filed.

2. The Second Appeal No. 291/2012 came to be disposed of vide judgment dated 03/03/2023. There was an interim order dated 24/04/2015, by which, the stay was granted to the execution of decree pending disposal of the appeal on condition that the appellant shall deposit the amount of Rs. 25,000/- every year in this Court starting from Diwali, 2015.

3. The present application is filed by the applicants/respondents for grant of permission to withdraw the amount deposited by the appellant in this Court.

4. In my considered opinion, when the appeal is disposed of, there is no reason not to allow this application. Accordingly, the application is allowed.

5. Permission is granted to the applicants/respondents to withdraw the amount so deposited by the appellant with this Court.
6. Nazir to release the amount along with accrued interest in favour of the applicants/respondents within a period of two weeks.
7. Accordingly, the application stands disposed of.

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

B.T.Khapekar