

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

CIVIL APPLICATION (CAS) NO. 449/2023

IN

SECOND APPEAL NO. 80/2020

Prabhakar S/o Shriram Alaspure

Vs.

Manik S/o Kisan Alaspure through L.Rs. Smt. Subhadra Wd/o Manikrao Alaspure and others

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

Court's or Judge's orders

Shri O.R. Deshpande Advocate for appellant

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

DATE : 05/04/2023

Present application is filed for return of original bank guarantee. The appellant filed Second Appeal No. 80/2020. The said appeal dismissed on 20/09/2022. However, during the pendency of appeal, this Court granted stay to the execution proceeding pending before the Civil Judge Senior Division, Amravati, subject to furnishing bank guarantee to the tune of Rs.6,20,700/-. Accordingly, appellant furnished the bank guarantee of aforesaid amount. As second appeal stands dismissed on 20/09/2022, and respondents have already proceeded with the execution proceedings, the appellant is required to furnish bank

guarantee in the Executing Court. As such, I do not see any impediment in granting relief as prayed.

2. Registry is hereby directed to return the bank guarantee of amount of Rs.6,20,700/- executed by State Bank of India, Branch at Amravati, within one week

(SMT. M.S. JAWALKAR, J.)