



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

**33 CIVIL APPLICATION NO. 2260 OF 2024
IN FA/529/2010**

KISHOR POPATLAL GANDHI

VERSUS

SHRIRAM TRAMBAKRAO MORE

...

Advocate for Applicant : Mr. Palod Lalitkumar Bansilal
Advocate for Respondent : Mr. S.M.Gunjkar h/f Mr. L.k. Pradhan

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CORAM : ARUN R. PEDNEKER, J.

Dated : February 26, 2024

PER COURT :-

1. The learned Advocate for the applicant submits that during the pendency of the appeal the amount was deposited by the respondent and the applicant was permitted to withdraw the amount on furnishing surety. Thereafter, in view of the enlargement of the jurisdiction of the District Court, the appeal was transferred to the District Court and meanwhile the applicant failed to withdraw the amount.
2. The learned Advocate for the applicant further submits that by order dated 02/09/2016 the appeal is also dismissed and the amount deposited in this Court be permitted to be withdrawn.
3. The Appellate court by order dated 02/09/2016 dismissed the appeal filed by the respondent and the appellants proceedings are

send back to the Trial Court.

4. Thus the Registry of this Court is directed to transmit the amount deposited in this Court by the respondent to the Trial Court. Liberty to the applicant to seek withdrawal of the amount from the Trial Court.

5. In view of the above, civil application is disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.