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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO. 315 OF 2024

B. Kumarswamy Reddy

.. Applicant

Versus

Maharashtra Krishna Valley Development
Corporation & Ors.

.. Respondents

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- Mr. Siddhesh Bhole a/w Adv. Yakshay Chheda, Ms. Apporva Kulkarni, Ms. Bhavika Thakkar, Advocate for the Applicant.
 - Ms. Shakuntala Wadekar, Advocate for the Respondents.
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CORAM : MILIND N. JADHAV, J.

DATE : JULY 08, 2024.

P.C.:

1. Heard Mr. Bhole, learned Advocate for the Applicant and Ms. Wadkar, learned Advocate for the Respondents.

2. At the outset Ms. Wadkar, learned Advocate for the Respondents takes a preliminary objection to the CRA. She draws my attention to the Division Bench order dated 01.02.2016 which is appended at Exhibit-F, page No.85 in this application. She would submit that as observed by this Court in paragraph No.7, this Court has already taken cognizance of the fact that the claim in respect of interest was specifically disputed by Appellants i.e. the Respondents before me and it is further held that the issue of entitlement of

Respondents to interest as prayed for would be decided on the basis of evidence that is adduced. She would submit that she has instructions on behalf of Respondent Nos.1 to 4 to submit that they desire to lead appropriate evidence on the issue of entitlement interest and accordingly the issue of interest therefore needs to be framed.

3. Though the proceedings from which the present application emanates as filed is an application for summary Judgment, the order passed by the Division Bench refers to the above issue as noted which cannot be ignored if so desired by the Respondents.

4. Therefore Mr. Bhole, learned Advocate for Applicants is directed to take appropriate instructions and inform the Court accordingly so that appropriate directions can be passed to enable the Respondents to lead their evidence on the above issue within a time bound programme.

5. Stand over to **15th July, 2024, 'For Orders'**.

[MILIND N. JADHAV, J.]

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