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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 15863 OF 2024
WITH
INTERIM APPLICATION NO. 15864 OF 2024
IN
SECOND APPEAL (ST) NO. 34211 OF 2024

D G lands Developers Private Limited ... Appellant/Applicant
vs.

Muthyala Venkata Brahamavara Prasad ... Respondents
and Anr

Ms. Usha Rahi a/w. Ms. Priyanka Tiwari i/b. Yatharth Legal for
Appellant/Applicant.

CORAM : GAURI GODSE, J.

DATED : 20th DECEMBER 2024

ORDER:

1. Learned counsel for the appellant submits that as per the impugned order, the appellant is ready to deposit the amount of Rs. 18,40,823/- in this court. She on instructions submits that the appellant would be agreeable to resolve the dispute amicably by refunding the amount to the respondent. She, however, submits that there is a dispute on the quantum of the amount to be refunded. She, therefore submits that to show bonafides, the appellant would

deposit an amount of Rs. 18,40,823/- in this court on or before 10th January 2025.

2. Learned advocate for the appellant submits that the only apprehension on behalf of the appellant is with regard to requirement to cancel the registered agreement after refund of the amount.

3. In view of the submission made on behalf of the appellant, permission is granted to the appellant to deposit the amount of Rs. 18,40,823/- in this court on or before 10th January 2025.

4. It is clarified that the said permission is granted without prejudice to the rights and contentions of the parties.

5. In view of the aforesaid, issue notice to the respondents returnable on 31st January 2025.

6. In addition to Court notice, learned advocate for the appellant to serve the remaining respondents, by private notice alongwith copy of this order and file affidavit of service, before the next date.

7. Subject to compliance of depositing the aforesaid amount, no coercive action to be taken against the appellant in terms of the impugned order.

(GAURI GODSE, J.)