



202-2024

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

CIVIL APPLICATION NO. 202 OF 2024
IN SECOND APPEAL NO. 406 OF 2023

(Mahesh s/o Gordhandas Chellani Vs. Kanta d/o Arjundas Bajaj & Ors.)

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

Court's or Judge's orders.

Shri S.U. Nemade, Counsel for the applicant/appellant.
Shri A.R. Kalraiya, Counsel for respondent no.1.
Shri Sahil Dewani, Counsel for respondent nos. 3 and 4.

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CORAM : ANIL L. PANSARE, J.
APRIL 2, 2024.

By present application, the applicant/appellant is seeking direction against respondent nos. 3 and 4 to deposit decretal amount of Rs.3,93,829/- along with interest @ 6% per annum in terms of judgment passed by the trial Court.

2] The trial Court's judgment indicates that the amount was to be paid from the date of institution of suit (suit was instituted in the year 2006) till realization of amount. As such, the trial Court had directed respondent no.1 herein to deposit the aforesaid amount. Respondent no.1, however, sold the suit property to respondent nos. 3 and 4 and, therefore, they are added as party respondents to the Second Appeal.

3] The learned Counsel for respondent no.1 submits that respondent no.1 is willing to deposit Rs.2,00,000/-. He submits that if permitted, the amount will be deposited today itself. Permission is granted. The

learned Counsel seeks two weeks time to deposit Rs.2,00,000/- more. Time is granted.

4] Respondent nos. 3 and 4 have also showed willingness to deposit an amount of Rs.2,00,000/-. They submit that if permitted, the amount will be deposited today itself. Permission is granted. The learned Counsel seeks time to take instructions to deposit further amount of Rs.2,00,000/-.

5] Stand over to 16/4/2024.

(ANIL L. PANSARE, J.)

Sumit