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C.M.P.No.4149 of 2024 in C.R.P.No.676 of 2023

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M.NIRMAL KUMAR, J.

The learned counsel for the petitioners submitted that this Court by order, dated 05.09.2023 in C.M.P.No.12035 of 2023 in C.R.P.No.676 of 2023 permitted the petitioners/decreed holders and respondents in C.R.P.No.676 of 2023 to withdraw the deposited amount of Rs.5,00,000/- in Suit No.2699 of 2015 on the file of City Civil Court at Mumbai. Now the learned counsel submitted that the petitioners' father K.N.Sanghani is the decree holder, his name is reflected in the lower Court records. Hence, the name of the petitioners herein Anitha Kishorchandra N.Sanghani and Manoj Kishorchandra N.Sanghani not found. Due to which, the City Civil Court at Mumbai has got objection to handover the amount of Rs.5,00,000/- deposited by the respondents herein and also sought some clarification.

2.Considering the submissions and on perusal of the materials, it is not in dispute that K.N.Sanghani is no more and the petitioners herein Anitha Kishorchandra N.Sanghani and Manoj Kishorchandra N.Sanghani are daughter and son of K.N.Sanghani.



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3.In view of the above, this Courts directs the petitioners herein and the respondents in C.R.P.No.676 of 2023 to file appropriate petition and withdraw the amount of Rs.5,00,000/- deposited in the name of K.N.Sanghani (HUF) Through its Karta Shri Kishorechandra Nagardas Sanghani, the decree holder, to the credit of Suit No.2699 of 2015, on the file of City Civil Court at Mumbai, Court Room No.31.

4.Accordingly, this civil miscellaneous petition is ordered.

05.04.2024

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