



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

952 CIVIL APPLICATION NO. 9173 OF 2025

IN SA/32/2025

USHA SATISHRAO CHIDREWAR

VERSUS

VIDHYA SANTOSH KOKIL

...

Advocate for Applicant : Mr. Tukaram Maruti Venjane

...

CORAM : SHAILESH P. BRAHME, J.

DATE : 22.08.2025

PER COURT :

The applicant is praying for disbursement of Rs. 4,50,000/- with accrued interest, which is lying in this Court.

2. The applicant had filed Second Appeal No. 32/2025. It was dismissed for default and later on by order dated 16.01.2025, the appeal was restored. By the self-same order it was permitted to be withdrawn. The applicant faced a practical difficulty in receiving the amount, which was deposited in this Court. Previously, when her First Appeal (Stamp) No. 13654/2010 was maintainable, she was directed to deposit Rs. 4,50,000/- and it was deposited on 30.07.2010. Thereafter, due to enhancement of pecuniary jurisdiction, the first appeal was transferred to the District Court. The District Court dismissed the appeal, which gave rise to the second appeal.

3. When the applicant withdrew the second appeal, it was not noticed that she was also entitled to receive the amount deposited in the first appeal. I do not find that there is any impediment in allowing the application.

4. The Civil Application stands allowed in terms of prayer clause 'B'.

(SHAILESH P. BRAHME, J.)

mkd/-