



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

**SECOND APPEAL NO.506 OF 2011**

[Ashok Jagobaji Dhole **..Vs..** Vasant S/o Anandrao Pote (Dead) thr LRs  
and Ors.]

**WITH**

**SECOND APPEAL NO.507 OF 2011**

[Abdul Rehman Abdul Gaffar Sheikh **..Vs..** Vasant S/o Anandrao Pote  
(Dead) thr LRs and Ors.]

**WITH**

**SECOND APPEAL NO.508 OF 2011**

[State of Maharashtra and Anr. **..Vs..** Vasant S/o Anandrao Pote (Dead)  
thr LRs and Ors.]

**WITH**

**SECOND APPEAL NO.339 OF 2009**

[Purushottam Pundlikrao Barade **..Vs..** Malti W/o Vasant Pote and  
Ors.]

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

*Court's or Judge's order*

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**Second Appeal No.506 of 2011**

Mr D. T. Shinde, Advocate for Appellant.

Mr N. Vyawahare, Advocate with Mr B. Vora, Advocate for No.1 (a to d).

**Second Appeal No.507 of 2011**

Mr D. T. Shinde, Advocate for Appellant.

Mr N. Vyawahare, Advocate with Mr B. Vora, Advocate for No.1 (a to d).

**Second Appeal No.508 of 2011**

Mr K. R. Lule, AGP for Appellants.

Mr N. Vyawahare, Advocate with Mr B. Vora, Advocate for No.1 (a to d).

Mr D. T. Shinde, Advocate for Respondent No.2.

**Second Appeal No.339 of 2009**

Mr V. Darne, Advocate for Appellant.

Mr N. Vyawahare, Advocate with Mr B. Vora, Advocate for Nos.1 to 4.

Mr K. R. Lule, AGP for Respondent Nos.5 and 6.

Mr D. T. Shinde, Advocate for Respondent Nos.7 and 8.

**CORAM** : **M. W. CHANDWANI, J.**

**DATE** : **11<sup>th</sup> MARCH, 2025.**

1. Heard.

2. Learned counsels appearing for the parties submitted  
that the matter can be disposed of on the condition that the

principal amount deposited by the appellants in these appeals shall be given to the respondent Nos.1(a to d) i.e. the legal representatives of the original plaintiff alongwith accrued interest and the contesting respondent Nos.1(a to d) will be satisfied.

3. Respondent No.1-c – Shrikant Vasant Pote is present. He and his counsel submitted that they had word with his sibling i.e. the respondent Nos.1(a, b and d), who have agreed with the said arrangement.

4. In view of this, the appeals are partly allowed.

5. The order of the learned Trial Court awarding the interest on the amount of Rs.1,00,000/- is set aside. The rest of the order of the Trial Court is maintained. The decree be drawn accordingly.

6. The amount of Rs.1,00,000/- deposited by the appellants shall be given to the respondent Nos.1(a to d) equally alongwith accrued interest.

7. The Court fees be refunded to the respective appellants as per rule.

**JUDGE**