



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION NO. 3672 OF 2024 IN
FIRST APPEAL NO. 779 OF 2014 (D)

Gurumukh Singh s/o Anwant Singh Bhasin

..vs..

M/s Shree Shyam Sales and 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. Singh, Advocate for respondent no.2.

CORAM: SANDIPKUMAR C. MORE, J.
DATE : 14/01/2025.

Heard learned Counsel for the applicant i.e. original respondent no.2 in First Appeal no.779/2014.

2. By this application, the respondent no.2 is claiming withdrawal of amount of Rs.3,26,798/- deposited with this Court along with the interest accrued thereon till date.

3. It appears that the aforesaid appeal was initially filed with this Court, but on enhancement of jurisdiction, the same was transferred to the concerned District Court, wherein compromised took place between the appellant/original defendant no.1 and the respondent nos.1 and 2/original plaintiffs. As per those consent terms, the appellant and respondent nos.1 and 2 settled the matter for the aforesaid amount, which is deposited with this Court when the appeal was lying here.

4. Now, the copy of the order dated 27.07.2022 below Exhibit-1 passed by the concerned District Court by considering the consent terms between the parties, indicates that the appeal pending there, has been

disposed of.

5. In view of the said compromise terms Exhibit-15, the present respondent no.2 being the Proprietor of the respondent no.1/Firm, is entitled for withdrawal of the aforesaid amount.

6. In view of the same, the respondent no.2 is permitted to withdraw the aforesaid amount along with the interest accrued thereon till date.

7. The application stands disposed of.

(SANDIPKUMAR C. MORE, J.)

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