



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

CIVIL APPLICATION NO.4466/2025 IN FIRST APPEAL ST.

NO.24635/2018 (FA No.401/2026)

[VIDC .vs. Rashid Khan Kasam Khan and others]

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

Court's or Judge's orders

Ms. Ashwini Athalye, Advocate for Appellant.
Mr. Vikky S. Gokhale and Mr. Pawan P. Sarise, Advocates h/f Mr. R.J. Shinde, Advocate
for 1A to 1D and R-2.
Ms. M.A. Kavimandan, AGP for Respondent Nos.3 and 4.
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CORAM : PRAVIN S. PATIL, J.

DATE : 17-06-2026.

1. By this application, the respondents-claimants seek to withdraw the amount of Rs.6,84,016/- which is deposited by the appellant before this court and Rs.4,62,167/- which is deposited before the Reference Court.

2. The applicants stated that they are indebted to the Bank and, therefore, the amount, which is awarded by the learned Reference Court, is required to them to satisfy the loan which they have obtained from the Bank. It is further stated that the applicants are prosecuting their cause since long and, therefore, considering the fact that they are prosecuting their cause since long, they may be allowed to withdraw the amount.

3. The learned counsel for the appellant strongly opposed for the withdrawal.

4. In the facts and circumstances, the amount of Rs.4,62,167/- which is deposited before the Civil Judge, Senior Division, Achalpur in L.A.C. No.16/2009 decided on 20.10.2015, be transferred to the Registry of this Court in the present appeal.

5. The respondents-claimants are permitted to withdraw Rs.6,84,016/- which is deposited by Appellant before this Court along with interest accrued thereon, subject to furnishing the usual undertaking before this court, through the Power of Attorney i.e. Respondent No.1-B Razique Khan s/o Rashid Khan as stated in the application.

6. The application stands disposed of.

Civil Application (CAF) No.3114/2019

1. In view of the deposit of entire decretal amount as awarded by the Reference Court in L.A.C. No.16/2009, there shall be stay in terms of prayer clause (i) during the pendency of the present appeal.

2. The application stands disposed of.

(PRAVIN S. PATIL, J.)