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

CIVIL APPLICATION F. NO.159/2015
IN
FIRST APPEAL NO.1399/2013

Vidarbha Irrigation Development Corporation, through its Executive Engineer, Bembala Project Division, Yavatmal
...Versus...
Kamlabai Narayanrao Pawar and others

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

Shri J.B. Kasat, Advocate for applicant/appellant
Shri R.S. Nagpure, Advocate for respondent no.1
Shri M.A. Kadu, AGP for respondent nos.2 and 3

CORAM : Z.A. HAQ, J.
DATE : 06.02.2015

For the reasons stated in the application, the appellant is granted time to deposit the amount. The appellant undertakes to deposit the amount within two weeks. In case the amount is deposited within the stipulated time, interim order granted by this Court on 13.1.2014 shall continue till the decision of the appeal. If the amount is not deposited within the stipulated time, the interim order shall stand vacated without reference to this Court.

Shri Nagpure, the learned Advocate for the respondent no.1 submits that the respondent no.1 be granted permission to withdraw the amount that would be deposited by the appellant.

Though Shri Kasat, the learned Advocate for the appellant objects to the prayer made on behalf of the respondent no.1, considering the facts of the case, the respondent no.1 shall be given 50% of the amount that would be deposited by the appellant on furnishing solvent surety to the satisfaction of the learned Registrar (Judicial) of this Court and the balance 50% shall be given to the respondent no.1 on filing undertaking that at the time of final hearing if this Court finds that the respondent no.1 is not entitled for the amount which is permitted to be withdrawn by him the respondent no.1 shall redeposit the amount along with interest as would be determined by this Court within the stipulated time.

The civil application is disposed of in the above terms.

JUDGE

Wadkar