

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

CIVIL APPLICATION F. NO.301/2015

IN

FIRST APPEAL NO.1060/2013

State of Maharashtra through Collector, Nagpur and others

...Versus...

Shri Shivaji s/o Fakira Dupare (Dead through L.Rs.)

Smt. Dropadabai wd/o Shivaji Dupare 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 M.A. Kadu, AGP for appellants
Shri S.V. Deshmukh, Advocate for respondent nos.1 to 7

CORAM : Z.A. HAQ, J.

DATE : 11.02.2015

Shri S.V. Deshmukh, the learned Advocate for the respondents has submitted that in similar matter (In First Appeal No.849/2012) the Division Bench of this Court has passed order on 20.6.2014 recording that in First Appeal No.42/2012 this Court permitted the land owners to withdraw the entire amount deposited by the appellant (State) on furnishing solvent surety to the satisfaction of the Registrar (Judicial) of this Court.

In view of this, the prayer of the respondents for withdrawal of the entire amount is granted. The respondents shall be given the amount deposited by the appellants on furnishing solvent surety to the satisfaction of the Registrar (Judicial) of this Court. In addition, each of the respondents shall file undertaking

stating that in case at the time of hearing of the appeal it is found that the respondents are not entitled for the amount withdrawn by them, they shall deposit the amount with the Registry of this Court with interest as would be determined by this Court, in the stipulated time.

The civil application is allowed in the above terms.

JUDGE

Wadkar