

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

CIVIL APPLICATION (CAF) NO.341/2016

IN

FIRST APPEAL NO.925/2013

Executive Engineer, Minor Irrigation Division, Washim

..Vs..

Shivaji Tukaram Choutmal 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 Vinay Dahat, Adv. for the appellant.
Shri Amol Darekar, Adv. for respondent No.1.
Ms. S.Z. Haider, A.G.P. for respondent No.2.

CORAM : Z.A.HAQ, J.

DATED : 14.9.2016.

Considering the facts of the case and the order passed by this Court on 1st August, 2016, the application seeking permission to come on record as respondent will be considered at the time of final hearing.

CIVIL APPLICATION (F) NO.340/2016.

The applicants in Civil Application No.341/2016 have filed Regular Civil Suit No.21/2015 in which an application praying for temporary injunction restraining the State of Maharashtra from releasing the amount of compensation in favour of the respondent No.1 is filed. The trial Court has passed an order on 28th January, 2015 granting temporary injunction as prayed for by the plaintiffs in that civil suit. It is undisputed that the order of temporary injunction continues to operate till today.

In view of the above facts, the prayer of the respondent No.1 for grant of permission to withdraw the

amount deposited by the appellant cannot be considered at this stage. The civil application is **dismissed** with liberty to the respondent No.1 to file fresh application if the order of temporary injunction is vacated or modified.

JUDGE

Tambaskar.

CERTIFICATE

“ I certify that this Judgment/Order uploaded is a true and correct copy of original signed Judgment/Order”.

Uploaded By : N.V. Tambaskar.
Personal Assistant.

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