

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

CIVIL APPLICATION (CAF) NO. 1359 OF 2016

IN

FIRST APPEAL NO. 226 OF 2011

Exe. Engineer Medium Project Nagpur Vs. Sheshrao Baliramji Bodhare & Ors.

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

Court's or Judge's Order

Shri J. B. Kasat Adv for appellant.
Shri C. R. Najbale Adv for respondent 1.
Shri H. R. Dhumale AGP for respondents 2 & 3.

CORAM: A. S. CHANDURKAR J.

DATED: 2nd APRIL, 2016.

The respondent no.1 seeks permission to withdraw the amount of interest that has accrued on the amount of compensation deposited by the appellant. It is stated that in Civil Application No. 2063 of 2015 by order dated 03.09.2015 the respondent no.1 was permitted to withdraw an amount of interest accrued of Rs. 18,86,055/-. However, the interest accrued now is Rs. 3,54,372/-.

The application is opposed by Shri J. B. Kasat the learned counsel for the appellant on the ground that the interest of the appellant would be prejudiced if the amount withdrawn is not secured. Considering the order dated 03.09.2015 passed in Civil Application No. 2063 of 2015 the respondent no.1 is permitted to withdraw an amount of Rs. 3,54,372/- along with interest accrued thereon. The respondent no.1 shall file an undertaking in terms of

order dated 03.09.2015 for the withdrawal of the 50% of the aforesaid amount. Remaining 50% amount is permitted to be withdrawn on furnishing solvent surety to the satisfaction of the Registrar (Judicial). Civil Application is disposed of.

JUDGE

svk