

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

FIRST APPEAL NO.838 OF 2014

(VIDC, through its Executive Engineer, Wardha ..vs.. Dhareshwar s/o Ramkrushna Kolhekar 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 S.K. Bhoyar, Advocate for the appellant,
Shri S.D. Chopde, Advocate for the respondent No.1,
Mrs. A.R. Kulkarni, AGP for the respondent Nos.2 and 3.

CORAM : Z.A. HAQ, J.

DATED : 21-10-2016

Taken up for hearing on admission.

Admit.

Call record and proceedings.

Shri S.D. Chopde, Advocate waives notice for the respondent No.1.

Mrs. A.R. Kulkarni, Assistant Government Pleader waives notices for the respondent Nos.2 and 3.

Civil Application (CAF) No.1532 of 2016.

The Advocate for the appellant states that the balance amount will be deposited within one week.

The appellant is permitted to deposit the amount.

Considering the facts of the case, the respondent No.1/claimant is permitted to withdraw Rs.5,00,000/- (Rupees Five Lakh). In addition, the respondent No.1/claimant be given Rs.3,00,000/- (Rupees Three Lakh) on

filing an undertaking before the learned Registrar (Judicial) of this Court stating that if it is found that the claimant is not entitled for the amount withdrawn by him, he will redeposit the amount with the registry of this Court alongwith interest as may be determined, within two months.

The balance amount be continued in fixed deposit till disposal of the appeal.

The civil application is allowed in the above terms.

JUDGE

adgokar