

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

CIVIL APPLICATION (F) NO.3031 OF 2015

IN

FIRST APPEAL STAMP NO.11402 OF 2015

(Executive Engineer, Purna Medium Project Division, Achalpur ..vs.. Purushottam s/o Dattuji
Wankhade 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 V.G. Palshikar, Advocate for the appellant,
Shri R.J. Shinde, Advocate for the respondent Nos.1(a) to 1(d),
Ms. S.Z. Haider, AGP for the respondent Nos.2 and 3.

CORAM : Z.A. HAQ, J.

DATED : 02-09-2016

Accepting the reasons stated in the application which are not controverted by the respondents, the delay of 222 days in filing the appeal is condoned.

The civil application is allowed.

First Appeal Stamp No.11402 of 2015.

The appeal is taken up for hearing on admission.

Admit.

Call record and proceedings.

The appellant shall file private paper-book within six months.

Shri R.J. Shinde, Advocate waives notice for the respondent Nos.1(a) to 1(d).

Ms. S.Z. Haider, Assistant Government Pleader waives notice for the respondent Nos.2 and 3.

Considering the facts of the case, the respondent Nos.1(a) and 1(d) are permitted to withdraw 30% of the amount unconditionally and 30% of the amount on filing an undertaking to the satisfaction of the learned Registrar (Judicial) of this Court that in case it is found that the respondent Nos.1 (a) and 1(d) are not entitled for the amount withdrawn by them, they shall repay the said amount with interest which shall be determined by this Court, within two months.

The amount be given in equal proportion to the respondent Nos.1(a) and 1(d).

The balance 40% amount be kept in fixed deposit in a nationalised bank till the disposal of the appeal.

JUDGE

adgokar

CERTIFICATE

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

Uploaded by : P.M. Adgokar.

Uploaded on : 02-09-2016.

P.A. to Hon'ble Judge.