

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.F. NO. 3190/2016 IN F.A. ST. NO. 12185/2016
 (EXECUTIVE ENGINEER, YAVATMAL PROJECT CONSTRUCTION DIVISION, YAVATMAL **VERSUS**
 SUKHDEO NARAYAN TARATE & 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, counsel for the applicant.
 Shri S.V. Ingole, counsel for the R-1.
 Shri P.S. Tembhare, A.G.P. for the R-2 & 3.

CORAM : SMT. VASANTI A NAIK AND
KUM. INDIRA JAIN, JJ.

DATE : OCTOBER 05, 2016.

Heard the learned counsel for the parties. Perused the contents of the application.

For the reasons stated in the application, the delay in filing the first appeal is condoned. The civil application is allowed and disposed of.

F.A. ST. NO.12185/2016.

Heard.

ADMIT.

Call for Record & Proceedings.

C.A.F. NO.3191/2016.

Heard the learned counsel for the parties. Perused the judgment of the reference Court.

In the circumstances of the case, though we direct the applicant to deposit the entire decretal amount in this Court within twelve weeks, we permit the respondent no.1 to withdraw 50% of the amount, that would be deposited, after furnishing an undertaking for 20% of the amount and a solvent surety/security for the remaining 30% of the amount, to the satisfaction of the Registrar (Judicial). The balance amount of

50% should be deposited in a fixed deposit account in a nationalized bank initially for a period of three years and the same should be renewed from time to time during the pendency of the first appeal.

The civil application is allowed in the aforesaid terms and disposed of.

JUDGE

JUDGE

APTE

CERTIFICATE

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

Uploaded by: Rohit D. Apte.

Uploaded on :06.10.2016.