

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

Civil Application [CAF] No.3859 of 2016
in
First Appeal No.662 of 2016

(Executive Engineer, Bembla Project Division, Yavatmal

vs.

Suryakant Narayan Kawalkar and others)

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

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Court's or Judge's Orders

Shri A.B. Nakshane, Advocate for the Applicant/Respondent No.1
Shri Amit Agarwal, Advocate for the Appellant.
Shri K.R. Lule, A.G.P. for Respondent Nos.2 & 3.

CORAM : S.B. SHUKRE, J.
DATE : 8th DECEMBER, 2016.

Heard.

Perused the application and the order passed by this Court on 16/09/2016. Considering the findings recorded in the impugned judgment and the grounds of appeal, I am of the view that in this case, respondent No.1-claimant can be permitted to withdraw 75% of the amount deposited in this Court conditionally. Accordingly, the application is allowed.

Respondent No.1 is permitted to withdraw 75% of the amount deposited in this Court against usual undertaking to be furnished within four weeks from the date of the order.

The application is disposed of.

Civil Application [CAF] No.2305/2016 :-

Heard.

As the decretal amount has already been deposited in this Court, the interim stay granted by this Court shall be continued till final disposal of the appeal.

The application is allowed and disposed of accordingly.

First Appeal No.662/2016 :-

Heard.

Admit.

Call for record and proceedings.

Shri Nakshane, learned Counsel waives notice for respondent No.1 and Shri Lule, learned A.G.P. waives for respondent Nos.2 and 3.

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JUDGE