

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

CIVIL APPLICATION (CAF) NO.3442 OF 2016

IN

FIRST APPEAL NO.826 OF 2016

(The Executive Engineer, Khadakpurna Project Division, VIDC, District Buldana ..vs.. Anusaya
Pandurang Dhakne and another)

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

Court's or Judge's orders

Shri S.G. Jagtap, Advocate for the appellant,
Shri S.D. Chopde, Advocate for the respondent No.1,
Mrs. A.R. Kulkarni, AGP for the respondent No.2.

CORAM : Z.A. HAQ, J.

DATED : 19-10-2016

Accepting the submissions made in the application, the applicant/appellant is permitted to deposit the balance amount, within two weeks.

The civil application is allowed accordingly.

Civil Application No.2819/2016.

In view of the order passed on Civil Application No.3442/2016, the prayer in the civil application does not survive.

The civil application is disposed accordingly.

First Appeal No. 826/2016

The learned Advocates for the appellant and the respondent No.1/claimant submit that in connected matters, the claimants are permitted to withdraw about 80% of the amount deposited by the appellant.

Considering this submission and the facts of the present case, the respondent No.1/claimant is permitted to withdraw Rs.2,50,000/- on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court. The respondent No.1/claimant be given further amount of Rs.2,50,000/- on filing an undertaking to the satisfaction of 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learned Registrar (Judicial) of this Court stating that if it is found that the claimant is not entitled for the amount withdrawn by him, he will redeposit the amount with the registry of this Court alongwith interest as may be determined, within two months.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 kept in fixed deposit in a nationalised bank.

JUDGE