

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

CIVIL APPLICATION (F) NO.2923 OF 2016

IN

FIRST APPEAL NO.923 OF 2014

(Vidrabha Irrigation Development Corporation ..vs.. Shri Radhakishan Jitmalji Agrawal (dead) through
L.Rs. 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 A. Parihar, Advocate for the appellant,
Shri Saurabh Tapdiya, Advocate h/f. Shri V.V. Bhangde, Advocate for the
respondent Nos.1-A, 1-B,
Shri M.A. Kadu, AGP for the respondent Nos.2, 3 and 4.

CORAM : Z.A. HAQ, J.

DATED : 14-09-2016

Shri Saurabh Tapdiya, Advocate holding for Shri V.V. Bhangde, Advocate for the respondent Nos.1-A and 1-B has submitted that this Court, by the order dated 13-01-2015, permitted the respondent No.1 to withdraw 50% of the amount deposited by the appellant, however, the respondent No.1 expired and the amount was not withdrawn. It is submitted that the respondent Nos.1-A and 1-B are brought on record as legal representatives of the respondent No.1 and therefore, they are entitled to withdraw 50% of the amount as per the order dated 13-01-2015.

Considering the order passed by this Court on 13-01-2015 and the facts recorded above, the respondent Nos.1-A and 1-B are each permitted to withdraw 25% of

the amount deposited by the appellant on filing undertaking before the learned Registrar (Judicial) of this Court that if at the time of hearing it is found that the respondent Nos.1-A and 1-B are not entitled for the amount withdrawn by them, they will deposit the amount with the registry of this Court alongwith interest as may be determined by this Court, within two months.

The civil application is allowed in the above terms.

Civil Application No.2924 of 2016.

The learned Advocate for the respondent Nos.1-A and 1-B seeks permission to withdraw the application.

The civil application is disposed accordingly.

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 : 16-09-2016.

P.A. to Hon'ble Judge.