

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

CIVIL APPLICATION (CAF) NO.3095/2016

IN

FIRST APPEAL NO.562/2013

Murlimanohar s/o Shobhagmal Maloo

..Vs..

Surekha wd/o Madhavraoji Ladekar and others

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : 10.10.2016.

None appeared for the appellant on 7th October, 2016. Today also none appears for the appellant. Heard Ms. Monali Pathade, Advocate for the respondent Nos.1 to 4/claimants.

It is submitted that as per the impugned award the amount of compensation receivable by the claimants is Rs.6,74,290/- and as per the order passed by this Court on 22nd January, 2014 and then on 18th March, 2014 granting interim order in favour of the appellant on condition that the appellant shall deposit 50% of the amount, the appellant should have deposited Rs.3,37,145/-, however, the appellants have deposited Rs.1,70,707/- only.

Accepting the statement made on behalf of the claimants, the interim order passed by this Court is vacated.

Considering the facts of the case, the claimants are permitted to withdraw the amount deposited by the appellant.

The claimants will be at liberty to execute the award for recovery of balance amount.

The civil application is **allowed** accordingly.

JUDGE

Tambaskar.