

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

Civil Application No.3977 of 2016

in

First Appeal No.701 of 2016

(Executive Engineer, Lower Wardha Project Division, Wardha

vs.

Arvind Nathoba Deshmukh 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 R.R. Vyas, Advocate for the Applicant-Respondent No.1.

Shri Abhijit Parihar, Advocate for the Appellant.

Shri K.R. Lule, A.G.P. for Respondent Nos.2 and 3.

CORAM : S.B. SHUKRE, J.

DATE : 21st DECEMBER, 2016.

Heard.

Considering the fact that out of the amount of Rs. 96,01,706/- deposited in this Court, this Court has only permitted to withdraw Rs.25,00,000/- and also the fact that the claimant is facing financial crunch because of his inability to furnish solvency or security to the satisfaction of the Registrar of this Court, this application can be allowed and also for the very reason, the claimant can further be permitted to withdraw additional amount of Rs.15,00,000/- against his furnishing usual undertaking.

Accordingly, this application is allowed. The claimant is permitted to withdraw an amount of Rs. 12,50,000/- and further permitted to withdraw an amount of

Rs.15,00,000/- lakhs against his usual undertaking to the satisfaction of the learned Registrar (Judicial) to be furnished within four weeks from the date of the order instead of a solvency or security and to this extent, the order dated 16/06/2016 stands modified.

The application is disposed of.

**sdw*

JUDGE