

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

First Appeal No.544/2016

VIDC through Executive Engineer, Bembla Project Division

Vs.

Smt. Panabai H.Jadhav (Dead) through LRs Wasudeo Honbaji Jadhav and others.

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

Court's or Judge's orders.

Mr.P.B.Patil, Advocate, for the appellant.
Mr. M.V.Bute, Advocate for R.No.1(A).
Mrs. Kalyani Deshpande, AGP for R.Nos. 2 and 3.

CORAM : N.W.SAMBRE, J.

DATE : APRIL 05, 2017

CAO No. 463/2017 in CAF No. 203/2017

Heard.

The civil application moved by the claimant came to be dismissed for want of prosecution on 1st March, 2017 of which, the restoration is sought.

The application is opposed by the learned counsel for the appellant. However, in the interest of justice and for the reasons stated in the application, the same stands allowed.

CAF No. 203/2017

This is an application for withdrawal of the amount deposited by the appellant.

The appeal is already admitted.

In my opinion, looking to the nature of the compensation awarded, it will be appropriate to order withdrawal of the same in favour of the respondent/claimant by furnishing usual undertaking that in case the appeal is allowed, the claimant shall redeposit the same along with interest as will be directed by the Court at the relevant time.

JUDGE

Andurkar..