

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

C.A.F. No. 1533/2017 IN FIRST APPEAL ST. No. 2479/2017

(EXE. ENGINEER, BEMBLA PROJECT DIVISION, YAVATMAL -vs- SURENDRA NILKANTH
PARDAKHE AND OTHERS)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri P.B. Patil, counsel for appellant.
Shri A.B. Nakshane, counsel for respondent no.1.
Mrs. M.S. Naik, AGP for respondent nos.2 and 3.

CORAM: S.B. SHUKRE, J.

DATE : SEPTEMBER 05, 2017.

Heard.

For the reasons stated in the application,
application is allowed.

Delay is condoned. Application is disposed of.
Appeal be registered.

FIRST APPEAL ST. No. 2479/2017.

Heard. ADMIT. Call for R and P.

Learned counsel Shri Nakshane, waives notice
for respondent no.1.

Mrs. Naik, learned AGP, waives notice for
respondent nos.2 and 3.

C.A.F. No. 1534/2017.

Heard. Appeal is admitted.

Entire decretal amount has been deposited in

this Court. Therefore, this application is allowed and it is directed that there shall be stay to the effect and operation of the impugned award till final disposal of the appeal.

Application is disposed of.

C.A.O. No. 3544/2017.

Heard. Perused the impugned award and memo of appeal.

I am of the view that this application can be partly allowed on some conditions. Accordingly, application is partly allowed and respondent no.1/claimant is permitted to withdraw 50% of the amount deposited in this Court, on his furnishing usual undertaking and also permitted to withdraw further 25% of the amount deposited in this Court, on his furnishing solvent surety, to the satisfaction of the Registrar. Both to be furnished within 10 weeks from the date of the order.

Remaining amount be invested in the Fixed Deposit Account in any National Bank, as per rules, till final disposal of the appeal.

Application is disposed of.

Final disposal of the appeal be expedited.

Appeal be fixed for final hearing by consent after two weeks.

JUDGE