

1 PURSIS ST.10594-17 with CAF 1754-17

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

PURSIS ST. NO.10594/2017 WITH C.A.F. NO.1754/2017 WITH C.A.F. NO.1477/2017
IN F.A. ST. NO.4110/2016

(SUNIL DADARAO SHENDE **VERSUS** SUNIL DADARAO SHENDE & OTHERS)

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

Court's or Judge's orders

Shri Anoop Parihar, counsel for the appellant.
Shri S.D. Chopde, counsel for the respondent Nos.1,2 & 4.
Shri H.N. Prabhu, counsel for the respondent Nos.5 & 6.

CORAM : S.B. SHUKRE, J.

DATE : OCTOBER 12, 2017.

Heard.

Perused the pursis Stamp No.10594/2017 filed by the respondent Nos.1, 2 and 4 stating that they are the only legal heirs of deceased respondent No.3. The heirship certificate is also annexed to the pursis.

In view of above, learned counsel for the appellant prays for deletion of the name of respondent No.3 from the array of the respondents in application and memo of appeal.

Leave to delete name of respondent No.3 at the risk of appellant is granted. Amendment be carried out forthwith.

C.A.F. NO.1754/2017

Heard.

For the reasons stated in the application, delay is

2 PURSIS ST.10594-17 with CAF 1754-17

condoned. Appeal be registered.

F.A. ST. NO.4110/2016 .

Heard.

ADMIT.

Call for Record & Proceedings.

Shri Chopde, Advocate waives notice on behalf of the respondent Nos.1, 2 and 4 for final disposal and learned AGP Shri Prabhu waives notice for respondent Nos.5 and 6. Private Paper Book be filed within one year.

C.A.F. NO.1477/2017

Heard.

Perused the impugned award and the grounds of appeal. I am of the view that this application can be conditionally allowed and it is allowed accordingly. Respondents are permitted to withdraw 50% of the amount deposited in this Court on their furnishing usual undertaking and also permitted to withdraw remaining 50% amount deposited in this Court on their furnishing solvent surety to the satisfaction of learned Registrar, both to be furnished within 10 weeks from the date of this order.

The civil application stands disposed of.

JUDGE