

(1)

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

**CIVIL APPLICATION (F) NO.1460 OF 2017
IN
FIRST APPEAL NO. 813 OF 2016**

The Executive Engineer, Lower
Wardha Project Division, Wardha,
Taluka and District Wardha. ..APPELLANT

VERSUS

Aparnatai d/o Bhaiyyaji Bhagwat,
Age: 65, Occ: Cultivator,
R/o. Mirzapur (Neri),
Taluka Arvi, Dist. Wardha & ors ..RESPONDENTS

Mr P.B. Patil, Advocate for appellant;
Mr S.D. Chopde, Advocate for respondent No.1;
Mrs. M.S. Naik, A.G.P. for respondent Nos. 2 & 3

CORAM : N.W. SAMBRE, J.

DATE : 4th APRIL, 2017

ORAL ORDER :

The appeal is already admitted. Paper book be filed within a period of six months from today, failing which, the appeal shall stand dismissed without reference to the Court.

2. The present application for withdrawal of the amount is allowed. Respondent No.1-claimant is

(2)

permitted to withdraw 75% of the amount deposited on filing usual undertaking that in case the appeal is allowed, she shall re-deposit the amount as ordered by this Court.

3. The balance amount of 25% of the deposited amount is concerned, same shall be kept in fixed deposit in a nationalized bank initially for the period of three years.

4. Civil Application stands disposed of.

(N.W. SAMBRE, J.)

Tupe