

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

C.A.F. No. 2644/2017 IN FIRST APPEAL No. 986/2017

(EXE. ENGINEER, K.P. PRAKALP, DEULGAON RAJA, DISTT. BULDANA -vs- GAMBHIRRAO
RAOSAHEB WAYAL 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 A. Parihar, counsel for appellant.
Shri D.S. Mapari, counsel for respondent nos.1 and 2.
Ms. Trupti Udeshi, AGP for respondent no.3.

CORAM: S.B. SHUKRE, J.

DATE : SEPTEMBER 12, 2017.

Heard.

Having considered the reasons stated in the impugned award and the grounds of appeal, I am of the view that this application can be partly allowed by imposing certain conditions.

Accordingly application is partly allowed.

The claimants are permitted to withdraw 75% of the amount deposited in this Court, on their furnishing usual undertaking before the learned Registrar, within four weeks from the date of the order.

Remaining amount is directed to be invested in the Fixed Deposit Account with any national bank, till final disposal of the appeal, as per rule.

Application is disposed of.

FIRST APPEAL No. 986/2017.

Heard Shri Parihar, learned counsel for the

appellant, Shri Mapari, learned counsel for respondent nos.1 and 2 and Ms. Trupti Udeshi, learned AGP for the respondent no.3.

ADMIT. Call for Record and Proceedings.

C.A.F. No. 86/2017.

Heard. Appeal is admitted. The decretal amount has been deposited. Therefore, this application deserves to be allowed and allowed accordingly.

Interim stay granted by this Court on 23/12/2016 is hereby confirmed on same conditions, until final disposal of the appeal.

Application is disposed of.

JUDGE

Yenurkar