

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

**FIRST APPEAL No. 952/2017**

(THE EXE. ENGINEER, LOWER WARDHA PROJECT DIVISION, WARDHA -vs- SATISH  
RAMDASJI KADU AND OTHERS)

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

Court's or Judge's Orders.

Shri V.G. Palshikar, counsel for appellant.  
Shri C.R. Najbile, counsel for respondent nos.1 and 2.  
Shri M.A. Kadu, AGP for respondent nos.3 and 4.

**CORAM: S.B. SHUKRE, J.**

**DATE : AUGUST 24, 2017.**

Heard.

The counsel note is taken on record.

In view of it, Shri S.G. Jagtap and Shri S.S.  
Godbole, are discharged as counsel for the appellant.  
Shri V.G. Palshikar, counsel, now appears for the  
appellant.

**C.A.F. No. 3396/2017 IN F.A. No.952/2017.**

Heard.

In the similar matter, this Court has permitted  
the claimant to withdraw the amount deposited in this  
Court on furnishing solvent surety and undertaking on  
50% basis. Therefore, I see no difficulty in allowing this  
application in a similar fashion.

Accordingly, the claimant is permitted to  
withdraw 50% of the amount deposited in this Court on  
giving an undertaking that in case the appeal is allowed,

the amount withdrawn shall be refunded with interest at such rate as may be directed by the Court and is also permitted to withdraw remaining 50% of the amount, on his furnishing solvent surety to the satisfaction of the learned Registrar.

Application is disposed of accordingly.

**JUDGE**

Yenurkar