

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

Civil Application [CAF] No.3427 of 2016
in
First Appeal No.946 of 2015

(V.I.D.C., through its Executive Engineer, Lower Wardha Project Division, Wardha
vs.

Sau. Kesharbai w/o Shyamsundar Chandak and others)

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

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Court's or Judge's Orders

Shri V.B. Bhise, Advocate for the Applicant/Respondent Nos.1 and 2.
Shri Abhijit Parihar, Advocate for the Appellant.
Mrs. Kalyani Deshpande, A.G.P. for Respondent Nos.3 and 4.

CORAM : S.B. SHUKRE, J.
DATE : 5th JANUARY, 2017.

Heard.

Having considered the impugned judgment and
order, I am of the view that this application can be partly
allowed on usual condition. The application is, therefore,
partly allowed.

The claimants are permitted to withdraw an
amount of Rs.10.00 lakhs from out of the amount deposited in
this Court by the appellant on conditions that for the 50% of
the amount allowed to be withdrawn, the claimants shall
furnish usual undertaking and for the remaining 50% of the
amount, shall furnish a solvent surety, both to the satisfaction
of the learned Registrar (Judicial) within four weeks from the
date of the order. If there is any power of attorney holder

having been conferred with power to receive the amount on behalf of the claimants, same shall be given effect to withdraw the amount after proper verification and identification by the learned Registrar (Judicial). Rest of the amount be invested as per rules.

The application is disposed of accordingly.

JUDGE

**sdw*