

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

CIVIL APPLICATION NO.4066 OF 2017
IN FIRST APPEAL NO.800 OF 2017

(Vidarbha Irrigation Development Corporation vs. Damdu Baban Rathod and others)

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

Shri A.B. Nakshane, Advocate for applicant/respondent no.1.
Shri A. Parihar, Advocate for appellant.
Shri M.J. Khan, Assistant Government Pleader for respondent nos.2
and 3.

CORAM : P.N. DESHMUKH, J.

DATED : NOVEMBER 13, 2017

This application is filed by respondent no.1 for withdrawal of entire decretal amount deposited by appellant to the extent of Rs.24,62,582/- contending that in First Appeal No.972/2017 arising out of same award, this Court has allowed appellant therein to withdraw 75% of the amount deposited on furnishing usual undertaking and remaining 25% on furnishing solvent surety. Copy of order dated 21/9/2017 tendered at Bar is taken on record.

In that view of the matter, applicant/respondent no.1 is allowed to withdraw 75% of the amount deposited as aforesaid on furnishing usual undertaking to the satisfaction of Registrar (Judicial) and remaining 25% on furnishing solvent surety to the satisfaction of Registrar (Judicial).

The civil application is disposed of as allowed.

JUDGE

khj