

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

CIVIL APPLICATION [CAF] NO.4376 OF 2017
IN
FIRST APPEAL NO.928 OF 2017

(The Executive Engineer, Lower Wardha Project, Canal Division, Wardha
vs.
Rajendrakumar Kisanlal Kochar 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 Vivek Awchat, Advocate for Applicant-Respondent No.1.
Shri S.K. Bhoyar, Advocate for the Appellant.
Shri M.J. Khan, A.G.P. for Respondent Nos.2 & 3.

CORAM : P.N. DESHMUKH, J.
DATE : 23rd NOVEMBER, 2017.

Heard.

This application is filed by applicant-respondent No.1 for withdrawal of amount, as per judgment and award dated 11/09/2015 passed in L.A.C. No.559/2007 by the 2nd Joint Civil Judge Senior Division, Wardha.

Record reveals that appellant has deposited amount of Rs.10,47,332/- with the Registry of this Court.

For the grounds mentioned in the application and as the learned Counsel for the appellant has made a statement at bar that out of the total decretal amount, an amount of Rs.6,00,000/- be

allowed to be withdrawn by the applicant on furnishing usual undertaking and balance amount on furnishing solvent surety, the application is liable to be allowed as not opposed by the appellant, thus, applicant-respondent no.1 is permitted to withdraw Rs.6,00,000/-, out of the decretal amount deposited in this Court on furnishing usual undertaking with the Registry of this Court and the balance amount on furnishing solvent surety to the satisfaction of the Registrar (Judicial).

Civil application stands disposed in the above terms.

**sdw*

JUDGE