

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

CIVIL APPLICATION (F) NO.456/2018 IN F. A.ST.NO.7505/2017

Executive Engiener, Bembla Canal Division, Yavatmal .vs. Anil Shridhar
Solanke and ors.

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

Court's or Judge's orders.

Mr. P. B. Patil, Advocate for applicant.
Mrs. M. Naik, A.G.P. for non applicant-State.

CORAM : V.M. DESHPANDE, J.

DATED : OCTOBER 9, 2018

This is an application for condonation of delay in preferring the appeal.

Mrs. Naik, A.G.P. appears for non applicant nos. 2 and 3. Notice to non applicant no.1 is dispensed with since the applicant wants to withdraw the appeal itself. Hence, the application is allowed. Delay is condoned.

The application is disposed of.

First Appeal Stamp No. 7505/2017

Mr. Patil, learned counsel for the appellant has filed Pursis Stamp No.13958/2018 seeking withdrawal of the appeal itself.

In view of the oral submissions of the learned counsel for the appellant and in view of the statements made in the pursis, appeal is permitted to be withdrawn. Judgment and decree passed by the trial Court is hereby confirmed.

The appellant will be entitled for refund of the Court fees, as admissible under the Rules.

Mr. Patil, learned counsel for the appellant, submits that he has instructions to make a statement on behalf of the appellant before this Court that he will be depositing the entire decretal amount within two months from today before the reference Court.

If the amount is so deposited, the learned reference Court is directed to issue notices to original claimant-Anil Shridhar Solanke informing him that the entire amount is deposited by the appellant and he is entitled to withdraw the same and he be permitted to withdraw the entire amount along with interest accrued thereon.

Civil Application (F) No.457/2018

In view of the withdrawal of the appeal itself, this application for grant of stay has become redundant.

The application is, therefore, disposed of.

JUDGE