

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
CIVIL APPLICATION (F) NO.1281/2018

IN
FIRST APPEAL NO. 770/2018

(Vidarbha Irrigation Dev. Corpn. vs. Smt.Leelabai Laxman Neulkar and another)

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

Court's or Judge's order

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 Mrs. U.A. Patil Advocate for VIDC /appellant
 Mr. S P Kshirsagar, Adv. For respondent no.1
 Mrs. A.R.Kulkarni, AGP for respondent no.2

CORAM : MRS.SWAPNA JOSHI, J.

DATED : 27th July, 2018.

This is an application filed by respondent no.1 seeking withdrawal of the amount deposited by appellant-VIDC. It is stated that an amount of 23,69,524/- was deposited by the appellant-VIDC as awarded by the reference Court with the Registry of this Court.

Heard both sides. Having considered the grounds of Appeal and the impugned judgment passed by the reference Court, I am of the view that 50 per cent of the amount deposited in this Court can be conditionally allowed to be withdrawn. Hence, the following order:

The respondent no.1 is allowed to withdraw 50% of the amount deposited in this Court subject to the condition that for the 25% of the amount, the respondent to furnish usual undertaking and for 25% of the amount, solvent surety to the satisfaction of the Registrar (J) of this Court be furnished, within a period of two weeks from the date of this order. The rest of the

amount be invested in a nationalised bank initially for a period of three years.

The Civil Application is allowed accordingly.

JUDGE

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