

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

CIVIL APPLICATION F. NO.1586/2018

IN

FIRST APPEAL NO.1251/2017

The Executive Engineer, Bembla Project Division, Yavatmal, Tq. And Dist.

Yavatmal

...Versus...

Subhash Parashram Atal and others

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

Court's or Judge's orders

Shri M.A. Kadu, Counsel for appellant
Shri M.M. Agnihotri, Counsel for respondent nos.1 to 4
Shri Amit Chutke, AGP for respondent nos.5 and 6

**CORAM : R.K. DESHPANDE AND
ARUN D. UPADHYE, JJ.**

DATE : 07/09/2018

The undisputed position is that in the matters arising out of the same acquisition, this Court by an order dated 11/12/2012 permitted the claimants to withdraw 50% of the amount without furnishing any surety and the balance 50% amount, subject to the claimants furnishing a solvent surety to the satisfaction of the Registrar (J). Copy of this order is placed on record and marked as "X" for identification.

The factual aspect is not in dispute. In view of that no different order can be passed in this matter.

Hence, the civil application is allowed. 50% of the amount deposited is permitted to be withdrawn without furnishing any surety and balance 50% amount is allowed to be withdrawn by furnishing a solvent surety to the satisfaction of the Registrar (J).

CIVIL APPLICATION F. NO.1585/2018

Stand over to 14/09/2018.

(Arun D. Upadhye, J.)

(R.K. Deshpande, J.)

Wadkar, P.S.

Shailendra
Sukhadeorao
Wadkar

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signed by
Shailendra
Sukhadeorao
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Date:
2018.09.10
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