

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

CIVIL APPLICATION (CAF) NO.2182/2018

IN

FIRST APPEAL NO.387/2015 (D)

VIDC

..VS..

Smt. Kantabai w/o Asaram Waibhasep and anr

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

Court's or Judge's Order

.....  
Shri V.K. Paliwal, Counsel for the applicant/ respondent No.1.  
Shri Parihar, Counsel for the appellant.  
Shri S.B. Bissa, AGP for non-applicant No.2.

**CORAM : MRS. SWAPNA JOSHI, J.**

**DATED : JULY 17, 2018.**

1. This is an application for withdrawal of amount deposited by the appellant.
2. Having heard learned counsel for the parties; gone through the contents of the application, and perused the impugned judgment passed by the Reference Court, I am of the view that the amount deposited in this Court can be allowed to be withdrawn by applicant/respondent No.1.
3. Learned counsel for other side has no objection if the claimant is permitted to withdraw the entire amount deposited before this Court by the appellant.
4. For the reasons stated therein, the application is allowed.
5. Upon applicant/respondent No.1 Smt. Kantabai furnishing an usual undertaking to the satisfaction of the Register (J) of this Court, she shall be permitted the withdraw the entire amount deposited by the appellant before this Court. However, the same shall be subject to

condition that in the event any adverse order is passed against applicant/respondent No.1, she shall refund the amount of compensation within a period of 4 weeks from the date of final order of this Court in the matter.

6. The civil application stands disposed of accordingly.

**JUDGE**

!! BRW !!