

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

CIVIL APPLICATION (CAF) NO.3399/2018 IN
FIRST APPEAL NO.341/2014 (DECIDED)

The Executive Engineer, Upper Wardha Project Division, Wardha Dist. Wardha.

Vs.

Ramkisan Asaramji Chandak (dead) through L.R's 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 N.A. Palshikar, Advocate for the appellant.
Shri S.D. Chopde, Advocate for the respondent No.1.
Shri Ashish Kadukar, AGP for the respondent Nos. 2 to 4.

CORAM: ARUN D. UPADHYE, J.

DATE: 21-11-2018.

Heard Shri N.A. Palshikar learned Counsel for the Appellant, Shri S.D. Chopde, learned Counsel for the respondent No.1 and Shri Ashish Kadukar, learned AGP for the respondent Nos. 2 to 4.

Perused the application. The learned Counsel for the respondent No.1 has pointed out the letter dated 07/10/2017, issued by the appellant that the respondent is entitled for the amount deposited in this Court by deducting an amount of Rs. 5,991/- and therefore he submitted that the amount after deduction as per the said letter be paid to the respondent No.1 with accrued interest.

The learned counsel for the appellant has no objection for the same. Considering the submission of both the sides and after perusal of all the documents, particularly

the letter dated 07/10/2017, the respondent no.1 be permitted to withdraw the amount deposited by the appellant.

Hence, I pass following order.

ORDER

- [i] The civil application is allowed.
- [ii] The amount deposited in this Court by deducting Rs.5,991/- with accrued interest be paid to the respondent No.1.

The civil application is disposed of accordingly.

JUDGE