

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

CIVIL APPLICATION (CAF) NO.2425/2018 IN FA NO.256/2016
VIDC, thr. The Executive Engineer, Bembla Project Division, Yavatmal, Taluka and District
Yavatmal

..VS..

Champat Maroti Deorao, dead, thr. LR and ors

Champat Maroti Deorao, dead, thr. LR : Applicant

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

Court's or Judge's Order

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Shri A.B. Nakshane, Counsel for the applicant/respondent No.1-A.
Shri Shri M.A. Kadu, Counsel for the appellant.
Mrs. M.S.Naik, AGP for respondent Nos.2 and 3.

CORAM : MRS. SWAPNA JOSHI, J.
DATED : AUGUST 3, 2018.

1. This is an application filed by applicant/respondent No.1-A to withdraw the amount, as per order passed by this Court on 12.10.2017.
2. Heard learned counsel for the parties.
3. This Court, vide order dated 12.10.2017, allowed respondent No.1 to withdraw 50% of the amount deposited before this Court on his furnishing usual undertaking and also permitted to withdraw remaining 50% amount deposited before this Court on his furnishing solvent surety to the satisfaction of the Registrar (J.) of this Court. Thereafter, respondent No.1 expired. As per order dated 13.7.2018, legal heir of respondent No.1 was brought on record.
4. Learned counsel Shri A.B. Nakshane for applicant/respondent No.1-A submits that applicant/respondent No.1-A is the only legal heir of respondent No.1. Learned counsel Shri M.A. Kadu for the appellant does not dispute the said position.
5. In view of the facts and circumstances of the case, I am inclined to allow the application.

.....2/-

6. For the reasons stated therein, the application is allowed. As per order passed by this Court on 12.10.2017, applicant/respondent No.1-A is permitted to withdraw the amount. The civil application stands disposed of accordingly.

FA NO.256/2016

The Paper Book be filed within a period of 6 months from today.

JUDGE

!! BRW !!

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