

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

CIVIL APPLICATION (CAF) NO.2659/2018 IN FA NO.320/2017 (D)
VIDC, thr. its Executive Engineer, Lower Wardha Project Division, Tahsil and
District Wardha

..VS..

Gopibai Vitthaldas Bhattad, since deceased, thr. her LRs and ors

.....
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 T.R. Darda, Counsel for applicants/respondent Nos.1-A to 1-G.

Shri M.A. Kadu, Counsel for the appellant.

Shri Amit Balpande, AGP for respondent Nos.2 and 3.

CORAM : V.M. DESHPANDE, J.

DATED : OCTOBER 8, 2018.

1. This is an application filed on behalf of applicants/respondent Nos.1-A to 1-G for permission to withdraw the amount deposited by the appellant.

2. Heard learned counsel Shri T.R. Darda for applicants/respondent Nos.1-A to 1-G, learned counsel Shri M.A. Kadu for the appellant, and learned Assistant Government Pleader Shri Amit Balpande for respondent Nos.2 and 3.

3. On 4.4.2017, this Court (Coram : N.W. Sambre, J.) dismissed the first appeal filed on behalf of the appellant.

4. Prior to dismissal of the appeal, in view of orders passed by this Court, the appellant deposited entire amount of decretal before this Court. Since the appeal is dismissed, the

application is moved by the applicants/respondent Nos.1-A to 1-G for permission to withdraw the said amount.

5. In view of dismissal of the appeal, the present application is allowed. Applicants/respondent Nos.1-A to 1-G will be entitled to withdraw the amount deposited by the appellant along with interest accrued thereon.

6. With this, the civil application stands disposed of accordingly.

JUDGE

!! BRW !!

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