

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

CIVIL APPLICATION (F) NO.2756/2018 IN F. A. NO.785/2018

V.I.D.C. thr. Its Executive Engineer, Bembla Project Division, Yavatmal and
anr. .vs. Sau. Ashabi w/o Sk. Rauf and ors.

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

Court's or Judge's orders.

Mr. M. A. Kadu, Advocate for appellants

Mr. V. D. Darne, Advocate for respondent no.1.

Mr. S. D. Sirpurkar, A.G.P. for respondent nos.2 and 3.

CORAM : V.M. DESHPANDE, J.

DATED : OCTOBER 9, 2018

This is an application for grant of permission to withdraw the amount deposited by the appellant-VIDC. The VIDC has deposited an amount of Rs.2,57,586/-. The plot as well as constructed house belonging to respondent no.1-applicant is acquired by the Land Acquisition Officer

After hearing Mr. Darne, learned counsel for respondent no.1-applicant, who has moved the present application, Mr. Kadu, learned counsel for appellant-VIDC and Mr. Sirpurkar, learned A.G.P. for the State, I pass the following order.

ORDER

- (i) The application is allowed.
- (ii) Respondent no.1-applicant-Sau. Ashabi w/o Sk. Rauf is permitted to withdraw the amount of Rs.2,57,586/- along with interest accrued thereon.
- (iii) At the time of withdrawal of the amount, respondent no.1-applicant shall furnish an undertaking that,

in case the appeal filed by the appellant-VIDC is allowed then within a period of 1 ½ years from the date of judgment, she will refund the amount so ordered along with interest that may be determined by this Court.

The application is disposed of.

JUDGE

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