

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

CIVIL APPLICATION (F) NO.3031/2018 IN FIRST APPEAL NO.392/2006 (d)

M.I.D.C. thr. Chief Executive Officer, Amravati .vs. Shriram Raghunath Raut
(Dead) thr. LRs. 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. Thakare, Advocate for appellant.

Mr. Jadhav, Advocate for respondent nos.1 and 2-applicants.

Mr. S. B. Bissa, A.G.P. for respondent nos. 2 and 3.

CORAM : V.M. DESHPANDE, J.

DATED : OCTOBER 9, 2018

This is an application for withdrawal of the interest amount. Appellant-M.I.D.C. filed First Appeal No. 392/2006. The said appeal was disposed of by this Court on 02.04.2016.

After dismissal, the present applicants have filed the application for withdrawal of the amount of compensation deposited by the appellant-Corporation. The said application was registered as Civil Application No.4901/2017. On 15.05.2018, this Court (Coram: Manish Pitale, J.) allowed the said application. Accordingly, it appears that the claimants have withdrawn only the principal amount. However, interest was not allowed to be withdrawn.

In that view of the matter, I pass the following order.

ORDER

- (i) The application is allowed.
- (ii) Respondent nos. 1a to 1c will be entitled to withdraw the interest accrued on the amount deposited by the appellant-Corporation from the date it is deposited till the respondents-claimants have withdrawn the same.

The application is disposed of.

JUDGE

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