

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

CIVIL APPLICATION (CAF) NO.3306/2018 IN
FIRST APPEAL NO. 387/2017 (Decided)

Executive Engineer, Lower Wardha Project Division, Wardha, Tah. and Dist. Wardha.
Vs.

Smt. Narmada wd/o Shankarrao Kadu and others.

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

Court's or Judge's orders.

Ms. Ashwini S. Athalye, Adv. h/f Shri S.K. Bhoyar, Adv. for Applicant/
Appellant.
Shri S.B. Bissa, AGP for non-applicant/respondent No. 5 and 6.

CORAM: ARUN D. UPADHYE, J.
DATE: 02-11-2018.

Heard.

The learned Counsel for the applicant/appellant has submitted that the non-applicant / respondent Nos. 1 to 4 have filed this application for withdrawal of the amount. The respondent Nos. 1 to 3 have given special power of attorney drawn in favour of the respondent No.4 to withdraw the entire decretal amount. The learned counsel for the applicant/ appellant and non-applicant /respondent Nos.5 to 6 have no objection for grant of permission to withdraw the amount.

I have perused the application as well as document filed on record. The non-applicant/respondent Nos. 1 to 3 have given special power of attorney in favour of the respondent No.4. Therefore, the respondent No.4 should be permitted to withdraw the entire decretal amount on behalf of the respondent Nos. 1 to 3 also the application is allowed.

The amount deposited in this Court is permitted to be withdrawn by the Respondent No.4 on behalf of respondent Nos. 1 to 3 alongwith accrued interest.

The application is disposed of.

JUDGE

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