

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
CIVIL APPLICATION (CAF) NO. 458/2019 IN
FIRST APPEAL NO. 115/2018

Executive Engineer, Bembla Project Division, Yavatmal, Dist. Yavatmal.

Vs.

Babanappa Lahanuappa Patangarai and others.

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

Court's or Judge's orders.

Shri V.V. Dahat, counsel for the appellant.
Shri A.B. Nakshane, counsel for the respondent No. 1.
Ms Geeta Tiwari, AGP for the respondent Nos. 2 and 3.

CORAM: ARUN D. UPADHYE, J.

DATE: 30-01-2019.

Heard learned counsel for the parties.

Perused the application.

After hearing both the sides, I am of the view
that the applicant could be permitted to withdraw 75%
amount on furnishing usual undertaking and remaining
25% amount on furnishing solvent surety.

Considering the facts of the case, respondent
No.1 is permitted to withdraw 75% amount on furnishing
usual undertaking to the effect that he will refund the
amount to the appellant in case the appeal is allowed and
remaining 25% amount by furnishing solvent surety to the
satisfaction of the Registrar (Judicial).

Civil application is allowed.

JUDGE