

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

**CIVIL APPLICATION (CAF) NO. 459/2019**  
**IN**  
**FIRST APPEAL NO. 367/2018**

V.I.D.C., Wardha  
V/s  
Kishor Wamanrao Charde and others.

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

*Court's or Judge's orders.*

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Ms H.N. Jaipurkar, counsel h/f Shri B.N.Jaipurkar, counsel for the  
applicant/ appellant.  
Mrs S.D. Anjankar, counsel for the respondent No.1 i.e. 1(a) to 1 (c).  
Shri S.D. Sirpurkar, AGP for the respondent Nos. 2 and 3.

**CORAM: ARUN D. UPADHYE, J.**

**DATE: 18-02-2019.**

Heard learned counsel for the parties.

Learned counsel for the respondent No.1(a) to 1(c) has submitted that respondent No.1 was permitted to withdraw the amount as per the order dated 22.2.2018. However, the respondent No.1 has died. Subsequently, the legal heirs of Respondent No.1 i.e. respondent Nos. 1(a) to 1(c) are brought on record. Therefore, the respondent Nos. 1 (a) to 1(c) could be permitted to withdraw the amount as per the said order.

Considering the submissions of the learned counsel for the respondents Nos. 1(a) to 1(c) and after perusal of the order passed in Civil Application No. 435/2018 are permitted to withdraw 50% amount on

furnishing solvent surety/security to the satisfaction of Registrar (Judicial) of this Court and balance 50% amount on filing usual undertaking.

Civil application is allowed.

**JUDGE**

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