

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

MISC. CIVIL APPLICATION NO. 69/2019 IN
CIVIL APPLICATION (CAF) NO. 2197/2016 IN
FIRST APPEAL STAMP NO. 25608/2016

Executive Engineer, Purna Medium Project Division, Achalpur Dist. Amravati
Vs.

Pradip Sheshraoji Tarhekar 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 h/f Shri J.B. Kasat, counsel for the appellant.
Shri R.J. Shinde, counsel for the respondent No.1.
Ms H.N. Jaipurkar, AGP for the respondent Nos. 2 and 3.

CORAM: ARUN D. UPADHYE, J.

DATE: 25-01-2019.

Heard learned counsel for the appellant.

Learned counsel for the appellant has submitted
that this application is filed for supply of correct address,
however, Shri R.J. Shinde, learned counsel appears for the
respondent No.1, and therefore this application may be
disposed of.

In view of the above facts, Misc. Civil Application
is disposed of.

CIVIL APPLICATION (CAF) NO. 2197/2017

Heard Shri V.V. Dahat, counsel h/f Shri J.B.
Kasat, counsel for the appellant, Shri R.J. Shinde, counsel
for the respondent No.1 and Ms H.N. Jaipurkar, learned

AGP for the respondent Nos. 2 and 3.

Perused the application. There is delay of 237 days in filing the first appeal. For the reasons stated in the application, delay is condoned. The civil application is allowed.

FIRST APPEAL STAMP NO.25608/2016

Heard.

Admit.

Call for record and proceedings.

Shri R.J. Shinde, learned counsel waives notice for the respondent No.1.

Ms Geeta Tiwari, learned AGP waives notice for the respondent Nos. 2 and 3.

CIVIL APPLICATION (CAO) NO.200/2019

Heard Shri R.J. Shinde, learned counsel for the respondent No.1 as well as Ms H.N. Jaipurkar, learned AGP for the respondent No. 2 and 3.

Perused the application. The respondent No.1 has filed this application for withdrawal of entire amount i.e. Rs. 1, 96,818/- deposited by the appellant in this Court.

In view of the above, the respondent No.1 is permitted to withdraw the amount of Rs. 1,96,818/- with accrued interest on furnishing usual undertaking to the

effect that if the appeal is allowed, he will refund the amount along with interest within two months from the date of order.

Civil application is allowed.

JUDGE

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