

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

CIVIL APPLICATION (CAF) NO. 1388/2019
IN
FIRST APPEAL NO. 343/2011

Maharashtra Industrial Development Corporation, through its Regional Officer.

Vs.

Bhaskar Narayanrao Makde (dead) through Lrs Yogesh s/o Bhaskarrao Makde 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 R.R. Badar, counsel for appellant.
Shri A.B. Nakshane, counsel for applicants/respondent Nos. 1A to 1D.
Shri I.J.Damle, AGP for the respondent Nos. 2 and 3.

CORAM: ARUN D. UPADHYE, J.

DATE: 22/04/2019.

Heard learned counsel for the parties.

Perused the application. Respondent Nos. 1A to 1D have prayed for withdrawal of the amount deposited by the appellant.

Learned counsel for the appellant has objected for the same.

After perusing the impugned judgment and award, I am of the view that the respondent Nos. 1A to 1D could be permitted to withdraw 75% of the amount deposited by the appellant on filing usual undertaking. Hence, I pass following order:-

ORDER

- i] Civil application is partly allowed.

- ii] Respondent Nos. 1A to 1D are permitted to withdraw 75% amount on equal proportion deposited by the appellant on filing usual undertaking to the effect that they will refund the amount with interest, in case the appeal is allowed.

JUDGE