

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

CIVIL APPLICATION (CAF) NO.225/2019

IN

FIRST APPEAL NO.759/2016 (D)

Vidarbha Irrigation Development Corporation, through Executive Engineer,
Medium Project Division, Nagpur

...Versus...

Shri Bakaram Domaji Thote 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 C.R. Najbile, Counsel for applicant/respondent no.1
Mrs. Geeta Tiwari, AGP for respondent nos.2 and 3
Shri J.J. Chandurkar, Counsel for appellant

CORAM : ARUN D. UPADHYE, J.

DATE : 15/01/2019

Heard.

The learned Counsel for the applicant/respondent no.1 has submitted that already 75% amount is withdrawn by the respondent no.1 and the appeal filed by the appellant – Vidarbha Irrigation Development Corporation is dismissed on 12/12/2018. He, therefore, prayed that remaining amount, i.e., 25% amount with interest be permitted to be withdrawn.

Considering the submissions of the learned Counsel for the parties and considering the fact that the appeal filed by the Vidarbha Irrigation Development

Corporation is dismissed, the applicant/respondent no.1 is entitled for withdrawal of the remaining amount with interest. Hence, I proceed to pass the following order.

ORDER

- (i) The civil application is allowed.
- (ii) The applicant/respondent no.1 is permitted to withdraw the remaining amount, i.e. 25% amount with interest.

No order as to costs.

JUDGE

Wadkar, P.S.