

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
CIVIL APPLICATION (CAF) NO. 3973/2018 IN
FIRST APPEAL NO. 923/2018

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

Vs.

Yashwantrao s/o Gabdaji Nichat (deceased) through legal heirs and others.

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

Court's or Judge's orders.

Mrs. A.A. Joshi, counsel for the appellant.
Shri R.J. Shinde, counsel for the respondent No. 1(a) to 1(g)
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 75% amount could be permitted to withdraw by the legal heirs of respondent No. 1 i.e. Respondent Nos. 1(a) to 1(g) on furnishing usual undertaking and remaining 25% amount on furnishing solvent surety.

Considering the facts of the case, legal heirs of respondent No. 1 i.e. Respondent Nos. 1(a) to 1(g) be permitted to withdraw 75% amount on furnishing usual undertaking and remaining 25% amount by filing solvent surety to the satisfaction of the Registrar (Judicial).

Civil application is allowed.

FIRST APPEAL NO. 923/2018.

Appellant to file private paper-book within six months.

JUDGE