

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

CIVIL APPLICATION (F) NO.1309 OF 2020 IN
FIRST APPEAL NO. 656 OF 2016 (D)

The Executive Engineer, Minor Irrigation Division, Washim
Vs.
Gajanan Chintaman Sanap and another

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

Court's or Judge's orders.

Smt. U.A. Patil, Advocate for appellant.
Shri Ashish Mehadia, Advocate for respondent no.1.
Ms Shamsi Haider, A.G.P. for respondent no.2.

CORAM : PUSHPA V. GANEDIWALA, J.
DATE : 28th SEPTEMBER, 2021.

Heard.

2. By way of this application, the appellant-V.I.D.C. is seeking grant of refund of excess amount deposited by the appellant before this Court. In reply to the said application, the respondent/claimant is disputing the calculation as done by the appellant/VIDC. On the contrary the claimant is claiming balance decretal amount to be recovered from the appellant.

3. It appears that the dispute between parties is with regard to calculation of the amount of compensation in terms of decree of this Court.

4. It is stated that respondent/claimant has already filed execution proceedings Special Darkhast No.13 of 2021

before the Court of Civil Judge Senior Division, Mangrulpir.

5. As the execution proceeding is already filed, the parties to raise their respective grievance before the Execution Court and the same shall be decided by the Court in accordance with law.

6. In above terms the application stands disposed of.

JUDGE

Wagh