

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

CIVIL APPLICATION (O) NO. 69 OF 2021
AND MISC. CIVIL APPLICATION ST. NO. 1144 OF 2021
IN FIRST APPEAL NO. 640 OF 2014

(Vidarbha Irrigation Development Corporation Vs. Ramesh s/o Nanaji Raut & Ors.)

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

Court's or Judge's orders.

Shri S.K. Bhoyar, Advocate for the applicant/
appellant.

Shri S.U. Nemade, Advocate for respondent No.1.

Shri A.M. Kadukar, A.G.P. for respondent Nos. 2 and
3.

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CORAM : PUSHPA V. GANEDIWALA, J.
AUGUST 13, 2021.

Heard.

2] By way of these applications, the
appellant is seeking condonation of delay of 1247
days caused in filing application for restoration of
First Appeal which was dismissed for want of filing
paper-book, and for restoration of the First Appeal.

3] Considering the reasons mentioned in
para 2 and 3 of the applications, the same are
allowed. Delay of 1247 days caused in filing
application for restoration of First Appeal stands
condoned. First Appeal stands restored to the file.

4] Civil Applications stand disposed of.

CIVIL APPLICATION (F) NO. 901/2020.

5] By way of this application, respondent No.1/ original claimant is seeking permission to withdraw the balance decretal amount of Rs.22,25,250/- with accrued interest thereon.

6] It is stated that the appellant has deposited Rs.44,50,500/- before the Reference Court on 29/11/2014. The applicant herein has already been permitted to withdraw 50% of the said amount along with interest vide order dated 16/01/2015.

7] It is stated that the issue involved in the present Appeal is covered by the judgment of this Court for the land, which is similarly situated with the subject land.

8] In this view of the matter, the applicant/ respondent No.1 is permitted to withdraw further 50% of Rs.22,25,250/- with accrued interest thereon, on furnishing usual undertaking before the Reference Court.

FIRST APPEAL NO. 640/2014.

9] List the matter for final hearing in the first week of September.

10] By that time, the appellant to file private paper-book.

JUDGE

Sumit