

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

CIVIL APPLICATION (F) NO. 1063 OF 2021
IN FIRST APPEAL NO. 24 OF 2016

(Vidarbha Irrigation Development Corporation Vs. Parashram s/o Suryabhan Aghav & Anr.)

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

Court's or Judge's orders.

Shri Abhijit Parihar, Advocate for the appellant.
Shri V.K. Paliwal, Advocate for the applicant/
respondent No.1.
Ms. H.N. Jaipurkar, A.G.P. for respondent No.2.

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CORAM : PUSHPA V. GANEDIWALA, J.
JULY 23, 2021.

Heard.

2] This is an application filed on behalf of respondent No.1 seeking withdrawal of balance amount deposited by the appellant.

3] Perused the order dated 22/01/2016 passed by this Court, whereby the claimant was allowed to withdraw 1/3rd of the amount deposited upon furnishing usual undertaking, and the balance amount upon furnishing solvent security.

4] It is stated that 1/3rd of the amount was withdrawn by the applicant, however, the balance amount could not be withdrawn for want of furnishing solvent surety. It is stated that the

applicant is a poor person and is not able to furnish surety.

5] Considering the reasons mentioned in the application, the same is allowed. The applicant/ respondent No.1 is permitted to withdraw the balance amount. The office is directed to transfer the balance amount with accrued interest thereon in the account of the applicant/ respondent No.1 as per the details which would be furnished by him.

6] Civil Application stands disposed of.

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7] Shri Parihar, learned counsel for the appellant, seeks one week time to file withdrawal pursis.

8] On his application, put up this matter after one week.

JUDGE

Sumit