

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

**CIVIL APPLICATION (CAF) NO. 2828 OF 2019 IN**  
**FIRST APPEAL NO.1408 OF 2019**

V.I.D.C. through its Executive Engineer, Bembla Project, Yavatmal and  
another Vs. Shalutai Vithobaji Landge and others

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

Court's or Judge's orders.

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Smt. Anjali Joshi, Advocate for appellants.  
Shri Nandesh Deshpande, Advocate h/f. Shri P.M. Pande, Advocate for  
respondent nos.1 and 2/applicants.  
Smt. H.N. Jaipurkar, A.G.P. for respondent nos.3 and 4.

**CORAM : PUSHPA V. GANEDIWALA, J.**  
**DATE : 30<sup>th</sup> JULY, 2021.**

Heard.

(2) This is an application for grant of stay under  
Order 41 Rule 5 of the Code of Civil Procedure.

(3) Learned counsel for the appellants submits that  
the entire decretal amount have been deposited with the  
Registry of this Court.

(4) Considering the submission, the application is  
allowed. There shall be stay to the execution and operation  
of the judgment and order dated 06.05.2017 passed by the  
learned 2<sup>nd</sup> Joint Civil Judge Senior Division, Yavatmal in  
L.A.C. No.405 of 2012, till disposal of the appeal.

(5) The application stands disposed of.

**CIVIL APPLICATION NO. 1225 OF 2021**

(6) Heard.

(7) By this application respondent nos.1 and 2 are seeking permission to withdraw the amount of Rs.2,82,200/- deposited by the appellants vide CCDR No.0013 dated 18.04.2019 with this Court.

(8) Perused the application.

(9) Considering the amount involved, the applicants/ respondent nos.1 and 2 are permitted to withdraw amount of Rs.2,82,200/- with accrued interest thereon, on furnishing usual undertaking.

(10) The application stands disposed of.

**JUDGE**

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