

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Civil Application (CAF) No. 1326/2021

IN

Civil Application (CAF) No. 4437/2019 (D)

IN

First Appeal (FA) No. 856/2019

Executive Engineer, Purna Project

..VS..

Khemchand s/o Asananadji Khandujha (Dead) through LRs. and ors.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mrs. P.P. Chobe, Advocate for the appellant.

Shri S.N. Chikhale h/f. Shri P.S. Patil, Advocates for the
applicants/respondent nos. 1a, 1b, 2, 3, 4a, 4c, 4d and 5

Shri A.M. Deshpande, AGP for the respondent nos. 6 and 7/State

CORAM : VINAY JOSHI, J.

DATED : 20/08/2021

The applicants seek clarification regarding the order of this Court dated 13.12.2019 passed in Civil Application (CAF) No. 4437/2019. While permitting the claimants/applicants to withdraw the partial compensation amount, this Court had permitted the claimants/applicants to withdraw 50% of amount on usual undertaking and 25% amount on furnishing “solvent surety” to that extent. It is submitted that due to employing the words “solvent surety”, the then concerned official is not accepting “solvent security”.

2. The intention behind the order is to obtain certain security for the payment. In order to facilitate the claimants/applicants to get released 25% amount of compensation suitable modification can be done. The order dated 13.12.2019, passed in Civil Application (CAF) No. 4437/2019, be complied by obtaining “solvent security” instead of “solvent surety”.

3. Accordingly, the application is disposed of.

JUDGE