

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

CIVIL APPLICATION (F) NO. 1394 OF 2021
IN FIRST APPEAL NO. 426 OF 2017

(The Executive Engineer Vs. Ratnakar Champat 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 J.B. Kasat, Advocate for the appellant.
Shri A.B. Nakshane, Advocate for the applicants/
respondent Nos.1 and 2.
Shri A.R. Chutke, A.G.P. for respondent Nos.3 and 4.

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CORAM : PUSHPA V. GANEDIWALA, J.
AUGUST 05, 2021.

Heard.

2] By way of this application, the applicants/ respondent Nos.1 and 2 are seeking permission for withdrawal of balance of decretal amount, i.e., Rs.103,386/-. Further direction is sought to transfer the said amount to the Reference Court, Yavatmal.

3] It is stated that First Appeal No.426/2017 came to be partly allowed by this Court vide order dated 21/12/2018, whereby the appellant was directed to deposit Rs.9,27,501/-, which amount was already deposited by the appellant. That as per calculation, the appellant is entitled for refund of

Rs.1,28,190/-. It is further stated that the applicants have already withdrawn an amount of Rs.6,95,925/-.

4] In view of above, the applicants/respondent Nos.1 and 2 are permitted to withdraw the balance of decretal amount, i.e., Rs.103,386/- along with interest accrued thereon. The Registry of this Court is directed to remit the said amount along with an amount of Rs.1,28,190/-, which is refundable to the appellant, to the Reference Court within a period of four weeks.

5] Civil Application stands disposed of.

JUDGE

Sumit