

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

CIVIL APPLICATION (CAF) NO.1423/2020 IN FA NO.451/2017 (D)
Vidarbha Irrigation Development Corporation, District Yavatmal

..VS..

Onkar Sheshrao Hotey and ors

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

Court's or Judge's Order

.....
Shri R.D.Hajare, Counsel for Applicant/Respondent No.1.
Shri J.B.Kasat, Counsel for the Appellant.
Mrs.T.H.Udeshi, AGP for Respondent Nos.2 and 3.

CORAM : V.M.DESHPANDE, J.
DATED : OCTOBER 20, 2021

1. Heard.
2. This is an application for withdrawal of amount.
The application is filed in decided First Appeal No.451/2017.
The said application is filed by respondent No.1 Onkar Sheshrao Hotey. He is represented by learned counsel Shri R.D.Hajare. The appellant is represented by learned counsel Shri J.B.Kasat and respondent Nos.2 and 3/State of Maharashtra and the Special Land Acquisition Officer are represented by learned Assistant Government Pleader Mrs.T.H.Udeshi.
3. The first appeal was filed by VIDC, Yavatmal challenging judgment and decree dated 9.4.2015 passed by learned 2nd Joint Civil Judge Senior Division, Yavatmal in Land Acquisition Case No.46/2005.

4. The first appeal filed by the VIDC was partly allowed by this Court on 21.12.2018.

5. It is an admitted position that on 26.4.2017 the VIDC deposited amount Rs.2,28,643/-. It is not disputed by the VIDC that the claimant is entitled to receive Rs.2,28,643/-.

6. In view of the aforesaid admitted position, this application can be disposed of with following direction:-

ORDER

(1) The civil application is allowed.

(2) Respondent No.1 Onkar Sheshrao Hotey is entitled to receive Rs.2,28,643/- along with interest from the amount deposited by the VIDC, Yavatmal before this Court.

The civil application stands disposed of accordingly.

JUDGE

!! BRW !!

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