

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

CIVIL APPLICATION (CAF) NO. 1971 OF 2021 IN
FIRST APPEAL NO. 406 OF 2021

Vidarbha Irrigation Development Corporation & Anr. Vs. Chandabai Jaiswal
& Ors.

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

Court's or Judge's orders.

Mr. M.A. Kadu, Advocate for the appellants
Mr. S. S. Shingane, Advocate for the respondent No.1

CORAM : V.M.DESHPANDE, J.

DATE : 21st OCTOBER, 2021.

This is an application seeking withdrawal of the
amount deposited by the appellants.

2. In pursuance to the order passed by this Court on
03/05/2021, the appellants had deposited the entire
decretal amount i.e. Rs.98,06,782/-.

3. Mr. S.S. Shingane, learned counsel for the
claimant submitted that the entire amount deposited by the
appellants is required by the respondent for the reason that
her grand-daughters Aishwarya Sudhir Jaiswal and Laxmi
Sudhir Jaiswal are appearing in the NEET examination and
they will be requiring money. It is not in dispute that parents
of Aishwarya and Laxmi are there and they are having their
own means in their life.

4. In that view of the matter, surely initial burden to give a proper education to their daughters is their parents. In my view, the respondent / applicant will be entitled to receive 25% of the amount deposited by the appellants since her land admeasuring 0.62 HR stands acquired.

5. Hence, the application is disposed of with a direction to the Registry that the Registry shall permit respondent Sau. Chandabai Radhesham Jaiswal to withdraw 25% of the entire amount deposited by the appellants in this Court. 50% of that 25% shall be allowed to be withdrawn by giving security and remaining 50% of 25% shall be allowed to be withdrawn by usual undertaking.

6. The application is disposed of.

JUDGE

MP Deshpande