

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

CIVIL APPLICATION NO. 2002 OF 2021
IN
FIRST APPEAL NO.885 OF 2017

(VI.D.C. thr. the Executive Engineer Vs. Shantilal Shitulal Oswal (dead) thr. L.R's and ors.)

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

Court's or Judge's Order

Shri J.B. Kasat, Advocate for the appellant.
Shri A.B. Nakshane, Advocate for respondent No.1.
Shri A.M. Kadukar, A.G.P. for respondent Nos.2 & 3.

CORAM:- PUSHPA V. GANEDIWALA, J.
DATED :- OCTOBER 07, 2021.

Heard

2. Perused the contents in the application.

3. It is stated that the First Appeal No.885/2017 came to be compromised before the Lok Adalat dated 17/03/2019. Accordingly, the appellant has deposited the enhanced amount of compensation with the Registry of this Court.

4. It is stated that the appeal of the VI.D.C. is partly allowed. It is stated that as per the directions of this Court, the VI.D.C. has deposited an entire decretal amount of Rs.13,51,581/- with the Registry of this Court.

5. Therefore, as the appeal came to be partly allowed, the appellant/VI.D.C. is entitled for refund of Rs.2,33,201/-.

6. In this view of the matter, the applicant/respondent No.1A is permitted to withdraw an amount of Rs.1,04,965/- along with interest accrued thereon while the appellant/V.I.D.C. is permitted to withdraw refund of excess amount of Rs.2,33,201/- with accrued interest thereon.

7. The application stands disposed of accordingly.

JUDGE

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