

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

CIVIL APPLICATION (CAF) NO. 2054 OF 2021
IN FIRST APPEAL NO. 596 OF 2019 (DECIDED)

Executive Engineer and Another Vs. Vithobaji Bahekar (Dead) Through
LRs

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. A.B. Naxane, Advocate for the respondent No.1-a
Ms. Shamsi Haider, AGP for the respondents No.3 and 4 / State

CORAM : V.M.DESHPANDE, J.

DATE : 15th NOVEMBER, 2021.

By this application, the original claimants are praying for allowing them to withdraw the amount deposited in this Court.

2. The claimants / applicants are represented by their counsel Shri A.B. Naxane. The appellants - VIDC is represented by Shri M.A. Kadu, learned counsel, whereas the respondents No.3 and 4 the State and the Special Land Acquisition Officer is represented by Ms. Shamsi Haider, learned AGP.

3. There is no dispute before me by party that while disposing of the appeal filed on behalf of the appellant-VIDC, this Court (Coram: Arun D.Upadhye, J.) has allowed the claimants to withdraw an amount of

Rs.8,04,307/- along with the interest accrued thereon. At the same time, the appellant – VIDC was permitted to withdraw Rs.92,741/- along with the interest accrued thereon. In view of this admitted position, I pass the following order.

ORDER

- I) The application is allowed.
- II) The claimants are permitted to withdraw the amount of Rs.8,04,307/- along with the proportionate interest accrued thereon.
- III) Similarly, appellant – VIDC is permitted to withdraw an amount of Rs.92,741/- along with the proportionate interest accrued thereon.

4. At the request of learned counsel for the claimants, the Registry is directed to transfer the amounts mentioned above in the Reference Court and the learned Reference Court shall permit the parties to withdraw the amounts, as directed.

5. With this the application is disposed of.

JUDGE