

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

CIVIL APPLICATION NO.2098 OF 2018

IN

FIRST APPEAL (ST.) NO.17073 OF 2017

(The Executive Engineer, Bembla Project Division, Yavatmal Vs. Deepak Vitthalrao
Johale 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 P.B. Patil, Advocate for the appellant.
Shri A.B. Nakshane, Advocate for respondent No.1
Ms. Shamsi Haidar, Advocate for respondent Nos.2 and 3/State.

CORAM:- PUSHPA V. GANEDIWALA, J.

DATED :- OCTOBER 07, 2021

Heard.

Perused the application.

Considering the reasons as stated in
paragraph Nos.2 and 3 of the application and found those
reasons are sufficient, the delay of 312 days stands
condoned.

The application stands disposed of
accordingly.

The appeal be registered.

FIRST APPEAL (ST.) NO.17073 OF 2017

Heard.

Admit.

Shri Nakshane, learned counsel for
respondent No.1 and Ms. Shamsi Haidar, learned Assistant

Government Pleader for respondent Nos.2 and 3/State,
waive notice.

Call for R. & P

CIVIL APPLICATION NO.1499 OF 2021

Heard.

Perused the application.

The applicant/respondent No.1/claimant is seeking withdrawal of the amount of Rs.34,41,542/- deposited by the appellant with the Registry of this Court vide CCDR No.0837 dated 20/09/2019.

Corrected as per
Court's order
dated 07/01/2022.

I have perused the contents in the application, so also the impugned judgment and decree of the Reference Court dated 17/05/2016 in L.A.C. No.194/2011 decided by the Civil Judge, Senior Division, Yavatmal.

On due consideration, the applicant/respondent No.1 is permitted to withdraw 75% of the aforesaid amount with accrued interest thereon, subject to furnishing usual undertaking to the satisfaction of the Registrar(J.).

The application stands disposed of accordingly.

JUDGE

**DB*