

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

CIVIL APPLICATION (F) NO. 1842 OF 2019
IN FIRST APPEAL NO. 54 OF 2020

(Executive Engineer Vs. Sau. Vanita Yashwant Sawarkar & Ors.)

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

Court's or Judge's orders.

Shri Nikhil Waghmare, Advocate h/f Shri P.B. Patil,
Advocate for the appellant.

Shri S.V. Ingole, Advocate for respondent No.1.

Ms. Shamsi Haider, A.G.P. for respondent Nos.2 and
3.

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CORAM : PUSHPA V. GANEDIWALA, J.
SEPTEMBER 01, 2021.

Heard.

2] This is an application for grant of stay.

3] The learned counsel for the appellant submitted that the entire decretal amount has been deposited by the appellant.

4] Given the aforesaid submission, the ad-interim stay, which is operating against the impugned judgment and order, is hereby made absolute, pending decision of the Appeal.

5] Civil Application stands disposed of.

CIVIL APPLICATION (F) NO. 1602/2021.

6] This is an application filed on behalf of the applicant/ respondent No.1 seeking withdrawal of the entire decretal amount deposited by the appellant.

7] It is stated that the appellant has deposited an amount of Rs.2,81,421/- with the Registry of this Court vide CCDR No. 27028 dated 23/10/2019.

8] I have perused the impugned judgment and award and the reasons mentioned in the application.

9] It is stated that respondent No.1/ claimant has already withdrawn principal amount towards compensation from the Reference Court.

10] Given the aforesaid submissions, so also considering the amount involved, respondent No.1/ claimant is permitted to withdraw 50% of the decretal amount (Rs.2,81,421/-) with interest accrued thereon on furnishing usual undertaking before the Registrar (Judicial).

11] Civil Application stands disposed of.

JUDGE

Sumit