

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

CIVIL APPLICATION (F) NO.1563 OF 2022

IN

FIRST APPEAL NO.674 OF 2017 (D)

{The Executive Engineer, Amravati **..Vrs..** Vinay S/o Ganpatrao
Meshram and Ors.}

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

Court's or Judge's order

Ms A. A. Joshi, Advocate for the Appellant.
Ms S. W. Deshpande, Advocate for the Respondent No.1.
Ms T. H. Udeshi, AGP for the Respondent Nos.2 and 3.

CORAM : ABHAY AHUJA, J.

DATE : 14th SEPTEMBER, 2022.

. This is an application for withdrawal of amount of Rs.1,71,530/- (One Lakh Seventy One Thousand Five Hundred and Thirty Only) with accrued interest.

2. Ms Deshpande, learned counsel for the applicant/original claimant no.1 submits that the appellant had earlier filed an appeal against the judgment and award dated 15.10.2015 passed by the Joint Civil Judge Senior Division, Achalpur, Amravati, in LAC Case No.104 of 2008, which came to be dismissed by this Court on 05.05.2017, pursuant to which, the decretal amount was to be deposited in the Court.

3. Ms Joshi, learned counsel for the appellant states that the said amount has been deposited on 13.04.2018 in the Reference Court. She tenders across the bar a communication addressed to her stating the same. The communication is marked as "X" for identification.

4. In this view of the matter, the application deserves to be allowed and the application is **allowed**. Let the applicant/original claimant no.1 be permitted to withdraw an amount of Rs.1,71,530/- (One Lakh Seventy One Thousand Five Hundred and Thirty Only) with accrued interest from the Reference Court, within a period of two weeks.

5. The civil application accordingly stands disposed of.

(JUDGE)

TAMBE