

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

FIRST APPEAL NO. 542 OF 2022

V.I.D.C. thr. Executive Engineer, Bembla Project Division, Yavatmal and anr.

...VERSUS...

Ramesh Marotrao Lokhande and others

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

Court's or Judge's order

Shri M.A.Kadu, Advocate for appellants.
Shri S.W.Deshpande, Advocate for respondent no. 1.
Ms. T.H.Udeshi, Asst.G.P. for respondent nos. 2 & 3.

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 20th August, 2022.

Admit.

2. Issue notice to the respondents.
3. Shri S.W.Deshpande, learned counsel waives notice for respondent no. 1.
4. Ms. T.H.Udeshi, learned Asst. Government Pleader waives notice for respondent nos. 2 and 3.
5. R & P be called.

CIVIL APPLICATION NO. 1287 OF 2022

The present application is filed by respondent no. 1 for withdrawal of amount.

2. The appellant has deposited the amount of Rs. 50,47,590/- in this Court.

3. The appellant had also deposited the amount of Rs. 27,16,926/- before the Reference Court and the same amount is already withdrawn by respondent no. 1 herein.

4. In view thereof, It will be appropriate to grant permission to respondent no. 1 to withdraw 50% of amount which is deposited in this Court.

5. The Registry is directed to disburse 50% of amount along with accrued interest to respondent no. 1.

6. The application stands disposed of subject to the usual undertaking that if the appellants succeed in the matter, the amount so withdrawn by respondent no. 1 will be refunded to the appellants as per final order, if any, passed in this First Appeal.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar