

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

CIVIL APPLICATION (F) NO.1164 OF 2022

IN

FIRST APPEAL NO.1122 OF 2017

{Vidarbha Irrigation Development Corporation ..Vrs.. Dashrath
Jangluji Nandurkar and Ors.}

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

Court's or Judge's order

Shri V. V. Dahat, Advocate for the Applicant/Appellant.
Ms V. Umale, Advocate for Respondent No.1.
Ms T. H. Udeshi, AGP for the Respondents No.2 and 3.

CORAM : ABHAY AHUJA, J.

DATE : 21st OCTOBER, 2022.

. This is an application seeking withdrawal of the amount deposited in this Court by the Appellant/Acquiring Body.

2. Ms Umale, learned counsel for Respondent No.1 draws the attention of this Court to paragraphs 4 to 6 of the application to submit that the Respondent No.1/land holder being an old aged person diagnosed with cataract is in dire need of money.

3. Shri Dahat, learned counsel for Applicant/Appellant has no objection, if the 50% of the amount allowed to be withdrawn by the Claimant and the appeal is heard expeditiously.

4. Having heard learned counsel for the Claimant as well as the Acquiring Body and the learned Assistant Government Pleader, the following order is passed :

ORDER

A) Let 50% of the amount deposited in this Court by the Acquiring Body be allowed to be withdrawn by the Respondent No.1/Claimant as under :

A-i) 25% of the amount be allowed to be withdrawn on the basis of usual under taking.

A-ii) 25% of the amount be allowed to be withdrawn on the basis of solvent surety to the satisfaction of the Registrar (J) of this Court.

5. The civil application accordingly stands disposed.

6. List the appeal for final disposal on **28.11.2022**.

7. Registry to act accordingly.

(JUDGE)

TAMBE