

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO.1742/2022

IN

FIRST APPEAL NO.410/2022

District Health Officer, Zilla Parishad Gadchiroli

Vs.

Supriya wd/o Ramesh Ghodmare and others

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

Court's or Judge's orders

Shri S.D. Zoting, Advocate for appellant
Shri P.P. Pendke, Advocate for respondents

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

DATED : 03/08/2022

Heard.

2. By this application, appellant Zilla Parishad seeks modification of order dated 19/04/2022. By this order, stay was granted subject to condition that the entire decretal amount along with interest will be deposited within a period of 12 weeks from the date of order.

3. Learned Counsel for appellant submits that for the reason stated in the application, it is difficult to deposit entire decretal amount and in view thereof the condition be relaxed to the effect that 50% amount of entire decree be permitted to deposit. Instead of relaxing this condition, time to deposit remaining amount is extended by two months. However, the appellant to deposit Rs.25,00,000/- within one week.

4. Application is disposed of.

5. If amount so deposited within a week, the respondent Nos.1 to 3 are entitled to withdraw amount of Rs.20,00,000/- subject to undertaking that if appellant succeed, the amount will be refunded as per order which would be passed in First Appeal.

JUDGE

R.S. Sahare