



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

CIVIL APPLICATION (CAF) NO. 1958 OF 2023
IN
FIRST APPEAL NO. 383 OF 2021

Vidarbha Irrigation Development Corporation and another
..VS..

Madhukar Motiramji Pote and others

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

Court's or Judge's orders

Mr. Mallika Babhulkar, Advocate h/f. M.A. Kadu, Advocate for appellants.

Mr. Pratik J. Mehta, Advocate for respondent No.1.

Ms. T.H. Udeshi, AGP for respondent Nos.2 and 3.

CORAM : G.A. SANAP, J.

DATED : 28th AUGUST, 2023

Heard learned Advocate for the respondent No.1 and learned Advocate for the appellants. Perused the application. This is an application for withdrawal of the balance 50% decretal amount deposited by the appellants.

2. In view of the reasons stated in the application, the application is allowed.

3. The respondent No.1 is allowed to withdraw the balance amount with accrued interest subject to furnishing solvent surety. The amount be paid within a period of three weeks.

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4. Respondent No.1 was previously represented by Advocate Mr. S.S. Shingane. The respondent No.1 now

has engaged Advocate Mr. P.J. Mehta. The learned Advocate Mr. S.S. Shingane, has given no objection. In view of this, learned Advocate Mr. S.S. Shingane stands discharged.

5. Ten weeks time is granted to file private paper book.

6. If the private paper book is not filed within ten weeks, the matter shall stand dismissed without reference to this Court.

(G.A. SANAP, J.)

Kirtak