

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

CIVIL APPLICATION (CAF) NO. 255/2023 IN
FIRST APPEAL NO.442/2022

V.I.D.C. Thr. Exe. Engineer, Minor Irrigation Division, Washim

Vs

Ravindra S/O Parashram Bhoyar And Another

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mrs U.A. Patil, Advocate for the appellant.

Mr A.B. Darekar, Advocate for the applicant/respondent No.1.

Ms T.H. Udeshi, AGP for the respondent No.2.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 06/02/2023

1. Heard.
2. By filing this application, the original claimants i.e. respondent No.1 is seeking extended time for filing undertaking and solvent surety.
3. As per contention of the respondent No.1, he had applied for withdrawal of the amount deposited in this Court, and this Court by its order dated 13/04/2022 allowed the said application and granted permission to withdraw 75% of the amount by filing usual undertaking before the learned Registrar (Judicial) and 25% by furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) within a period of eight weeks.

4. However, the respondent manage to get solvent surety within time. Now, he has submitted the solvency, but as it is not within time. Therefore, the Registry has not accepted the same.

5. Considering the reasons mentioned in the application, the Registry to accept the said solvent surety and disburse the amount to the respondent No.1 on due satisfaction of the Registrar (Judicial).

Civil Application (CAF) No. 255/2023 is disposed of.

First Appeal No. 442/2022

1. The appeal is already ready for the final hearing.
2. Stand over after **six weeks**.

JUDGE