

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

CAF NO.491/2023 AND FA NO.770/2016

The Executive Engineer, Nagpur Medium Project Division, VIDC, Nagpur

..VS..

Shri Ramesh Deorao Tambalkar and ors

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

Court's or Judge's Order

.....

Shri S.P.Kshirsagar, Counsel for Applicant/R-1.
Mrs.Shamsi Haider, AGP for R-2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 22/02/2023

1. This is an application for grant of hearing and withdrawal of the amount deposited in this Court as per Award.
2. The appeal is admitted. As per order of this Court, the appellant has deposited entire decretal amount Rs.21,06,710/-.
3. Learned counsel Shri S.P.Kshirsagar for applicant/respondent No.1 submits that applicant/respondent No.1 has lost his source of income and is in need of money and, therefore, he be permitted to withdraw the said amount.
4. None appears for the appellant.
5. In view of reasons mentioned in the application, at this stage, it will be appropriate to permit applicant/respondent No.1 to withdraw 50% of the deposited amount along with interest accrued thereon.
6. The application is **allowed** and **disposed** of.
7. The applicant/respondent No.1 is permitted to withdraw 50% of the deposited amount along with interest accrued thereon on furnishing usual undertaking. The amount be disbursed on due

verification and identification.

8. The paper book is already filed and record and proceedings are already received. Place the appeal for its final hearing after four weeks.

(URMILA JOSHI-PHALKE, J.)

!! BrWankhede !!

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