



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

CIVIL APPLICATION (CAF) NO. 88 OF 2023
IN
FIRST APPEAL NO. 941 OF 2022

Vidarbha Irrigation Development Corporation, Bembla Canal Division, Yavatmal
..VS..

Shyam Narayan Burewar 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. Vinay Dahat, Advocate h/f. Mr. J.B. Kasat, Advocate for
appellant.
Mr. K.S. Narwade, 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.

2. This is an application made by respondent No.1 for withdrawal of the amount deposited by the appellant in terms of order dated 06.03.2020. The amount deposited as per the report is Rs.69,01,786/- (Rupees Sixty Nine Lacs One Thousand Seven Hundred Eighty Six only). The reasons have been stated in the application.

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

4. The respondent No.1 is allowed to withdraw the amount of Rs.69,01,786/- (Rupees Sixty Nine Lacs One Thousand Seven Hundred Eighty Six only). The respondent No.1 is allowed to withdraw 50% of the

amount subject to undertaking that in case the appeal is decided against the respondents, then respondent No.1 will deposit the amount, as directed by this Court, with interest, as decided by the Court. The remaining 50% of amount is allowed to be withdrawn on furnishing solvent surety.

5. The amount be paid to the respondent No.1 within four weeks.

6. The application stands **disposed of**, accordingly.

FIRST APPEAL NO. 941 OF 2022

7. Stand over after eight weeks.

(G.A. SANAP, J.)