

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

CIVIL APPLICATION (CAF) NO.1026 OF 2023

IN
FIRST APPEAL NO.1162 OF 2018 (D)

Vidarbha Irrigation Development Corporation through the Executive Engineer,
Bembla Project, Division, Yavatmal

Vs.

Pandharinath Shamroa Ajmire (dead) through LR's 1A) Chandrakala wd/o
Pandharinath Ajmire 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 V. Dahat, Advocate h/f Mr. J. B. Kasat, Advocate for appellant.
Mr. Ashish B. Nakshane, Advocate for the respondent Nos.1(A) to 1(C).

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 27/04/2023

1. Present application is seeking permission for withdrawal of the compensation amount.
2. The First Appeal is already disposed of vide order dated 17.03.2023 in Lok-Adalat. In view of the order of this Court in Lok-Adalat, the appellant is entitled to receive the refund of Rs.56,494/- along with accrued interest and the claimant is entitled to withdraw the amount of Rs.1,31,486/- along with accrued interest. The respondent No.1(A) who is the Power of Attorney holder for the respondent Nos.1(B) and 1(C) is permitted to withdraw Rs.1,31,486/- along with the accrued interest on due identification and verification.
3. The respondent No.1(A) shall file an affidavit to the extent that she has disbursed the

(2)

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respective shares to other respondent Nos.1(B) and 1(C) and the amount of Rs.56,494/- be refunded to the appellant along with the accrued interest.

4. Civil Application is disposed of.

(URMILA JOSHI-PHALKE, J.)

Sarkate