

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

CIVIL APPLICATION NO.1101 OF 2023

IN

FIRST APPEAL NO.413 OF 2021

(VI.D.C. Vs. Kalavati Pundlik Dayare and ors.)

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

Court's or Judge's Order

Shri A.M. Kukday, Advocate for the appellant.
Shri S.V. Ingole, Advocate for respondent No.1.
Ms Udeshi, AGP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- APRIL 20, 2023.

Heard.

2. This is an application for withdrawal of decretal amount on the ground that respondent No.1 has already lost her land due to its compulsory acquisition. Now she has no source of income.

3. In view of that the prayer of the respondent No.1 needs to be allowed subject to the condition that 50% of the amount with accrued interest is permitted to withdraw subject to the claimant furnishing an undertaking that if any adverse order is passed the claimant shall deposit the same as shall be directed.

4. The balance 50% of the amount with proportionate accrued interest is permitted to be withdrawn on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial).

5. The application is allowed and disposed of in the above said terms.

(URMILA JOSHI-PHALKE, J.)

**Divya*