



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

CIVIL APPLICATION (CAF) NO. 1183/2023 IN
FIRST APPEAL NO. 395/2017

VI.D.C., Thr. Exe. Engineer, Yavatmal **Vs** Madhav Bhikaji Raut (Dead), Thr. Lrs. Vijay Madhao Raut And Others

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

Court's or Judge's Order

Mr V.V. Dahat, advocate, h/f Mr J.B. Kasat, advocate for the appellant.
Mr A.B. Nakshane, advocate for the respondent No.1(A) to 1(D)/Applicant.
Mr K.L.Dharmadhikari, AGP for the respondent Nos. 2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 21/04/2023.

1. Heard.
2. The present application is filed for seeking permission for the withdrawal of the amount which is deposited by the appellant.
3. Appeal is already disposed of as partly allowed by an order dated 21/12/2018.
4. Appellant has deposited Rs. 4,15,010/- out of which the respondents have already withdrawn the amount of Rs. 2,07,505/-. Now, the respondents are entitled to receive the balance amount of compensation out of the deposited amount of Rs.3,81,624/-. Appellant is entitled to receive a refund of balance amount along with accrued interest i.e. Rs. 33,386/-.
5. The respondents further seeking permission to withdraw the amount through Power of Attorney which is

Corrected as per
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dt. 12.01.2024.

respondent No.1-A. The application is supported by the Power of Attorney.

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6. In view of the reasons mentioned in the application, the amount of Rs. 33,386/- is to be refunded to appellant along with accrued interest.

7. The balance amount along with accrued interest to be disbursed to the respondents. Respondent No.1(A) is permitted to withdraw the amount on behalf of all the respondents and she filed an affidavit to the extent that the respective shares are disbursed to all the respondents.

8. The amount be disbursed on due identification and verification.

Civil application is **disposed of**.

JUDGE