

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

CIVIL APPLICATION (CAF) NO. 1249 OF 2023
IN
FIRST APPEAL NO.819 OF 2015 (D)

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

Vs.

Bhavrao s/o Shivram Bhagat (Dead) through LR's 1A) Smt. Kusum wd/o Bhavrao
Bhagat (wife) and others

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

Court's or Judge's orders

Ms. Mallika Babhulkar, Advocate h/f Mr. M. A. Kadu, Advocate for appellant.
Mr. A. B. Nakshane, Advocate for respondent No.1.
Ms. T. Udeshi, AGP for respondent Nos.2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 27/04/2023

1. Present application is seeking for permission for withdrawal of the amount.
2. The First Appeal filed by the VIDC is partly allowed. In view of that, the appellant VIDC is entitled for refund of Rs.78,771/-. In view of the reasons mentioned in the application the amount of Rs.78,771/- along with accrued interest be refunded to the appellant VIDC and balance amount along with the accrued interest be disbursed to the respondent Nos.1(A) to 1(D).
3. The respondent No.1(A) who is Power of Attorney holder is permitted to withdraw the amount along with accrued interest on behalf of all other respondent Nos.1(B) to 1(D).

(2)

9.caf.1249.2023

4. The respondent No.1(A) shall file an affidavit after withdrawal of the amount to the extent that she has disbursed the respective shares to the other respondent Nos.1(B) to 1(D).

5. Civil application is disposed of.

(URMILA JOSHI-PHALKE, J.)

Sarkate