

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

CIVIL APPLICATION (CAF) NO.1344 OF 2023

IN
FIRST APPEAL NO.356 OF 2012

The Maharashtra State Power Generation Company Limited, Chandrapur
Vs.

Smt. Bayabai Kawdu Wadhai (Since deceased) 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. Nichiket Moharir, Advocate h/f Mr. G. E. Moharir, Advocate for the appellant.
Mr. S. N. Bhattad, Advocate for respondent Nos.2(i) and 3.
Mr. K. L. Dharmadhikari, AGP for respondent No.6.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 03/05/2023

1. Present application is for seeking permission to withdraw the amount to the extent of 25% in terms of order dated 27.11.2017.
2. By an order dated 27.11.2017 the claimants are permitted to withdraw 50% of the amount deposited in this Court on their furnishing usual undertaking and further permitted to withdraw 25% more of the deposited in this Court on their furnishing solvent surety to the satisfaction of learned Registrar. Now, the respondent No.3 claims that out of the amount which is permitted to be withdrawn, he be permitted to withdraw 25% of the amount, as he needs the amount for marriage purpose in the family.

3. In view of the reasons mentioned in the application, the respondent no.3 is permitted to withdraw the amount to the extent of 25% out of the amount which is permitted to be withdrawn.

4. In view of order dated 27.11.2017 along with the proportionate accrued interest, the amount be disbursed on due identification and verification.

5. Civil Application is disposed of.

Pursis Stamp No. 4/2023

1. By this Pursis, the respondent Nos.2 to 5 informed the Court that respondent No.1 died and her legal heirs are already on record.

2. Leave is granted to the appellant to delete the name of respondent No.1.

(URMILA JOSHI-PHALKE, J.)

Sarkate