

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

CIVIL APPLICATION (F) NO. 1902 OF 2023  
IN  
FIRST APPEAL NO. 746 OF 2015 (DECIDED)  
WITH  
CROSS OBJECTION NO. 27 OF 2016

THE EXECUTIVE ENGINEER, LOWER WARDHA PROJECT DIVISION, VIDC WARDHA

VS.

SHARAD MANIKRAO BURGHATE AND OTHERS

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders.

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Smt. Anjali Agrawal, Advocate h/f. Smt. Ashwini Athalye,  
Advocate for applicant.  
Shri. K. S. Narwade, Advocate for respondent No.1.  
Shri. M. A. Kadu, AGP for respondent Nos.2 and 3.

CORAM : SMT. M. S. JAWALKAR J.  
DATE : 12/07/2023

Present application is filed by respondent No.1 for grant of permission to withdraw the balance amount with accrued interest lying with this Court in First Appeal No.746 of 2015 and Cross Objection No.27 of 2016. Both were came to be decided on 30/03/2023.

2. The appeal and cross objection both were came to be dismissed and order of reference Court was maintained. During pendency of appeal

appellant deposited entire amount of compensation, as such there is no impediment in allowing the respondent No.1 to withdraw the balance amount out of the amount deposited by the appellant along with accrued interest thereon.

3. Accordingly, the present application is allowed. Applicant/respondent No.1 is permitted to withdraw the balance amount along with accrued interest.

4. Registry is directed to disburse the amount in favour of the applicant within a period of three weeks after due verification of documents.

**JUDGE**