



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

CIVIL APPLICATION (CAF) NO. 2174/2023 IN
FIRST APPEAL NO. 430/2023

VI.D.C. through Executive Engineer, Medium and Minor Irrigation Division, Achalpur
Vs.

Smt. Dwarkabai Namdeorao Apradhe and others

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

Court's or Judge's orders

Ms A.A. Agrawal, Advocate for appellant
Shri S.S. Shingane, Advocate for respondent No.1
Ms T.H. Udeshi, AGP for respondent Nos. 2 & 3

CORAM : SMT. M.S. JAWALKAR, J.

DATE : 02/08/2023

Present application is filed for withdrawal of amount deposited by appellant. It appears that the appellant has deposited an amount of Rs.10,90,586/- on 24/04/2023, in view of the order passed by this Court dated 09/01/2023.

2. For the reasons stated in the application, it would be appropriate to allow the application, subject to condition that for release of 50% of amount along with accrued interest, the respondent No.1 shall furnish undertaking to the effect that if appellant would succeed, he will re-deposit the amount as per final order, which would be

passed in present appeal bearing First Appeal No. 430/2023, remaining 50% of amount is allowed to be withdrawn, subject to furnishing surety to the satisfaction of Registrar (Judicial) of this Court.

3. Application stands disposed of.

4. Nazir to disburse the amount, subject to above conditions.

(SMT. M.S. JAWALKAR, J.)