

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

CIVIL APPLICATION (CAF) NO. 2155 OF 2023
IN
FIRST APPEAL NO. 334 OF 2016(D)

V. I. D. C. THR. ITS. EXECUTIVE ENGINEER, LOWER WARDHA CANAL DIVISION, WARDHA (PIPRI)

...VERSUS...

LAXMAN S/O. DOMA SHELKAR AND ORS.

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

Court's or Judge's order

Shri V.V.Dahat, Advocate for appellant.

Ms. Rajkumari Rai, Advocate for respondent nos. 2 and 3.

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

DATE : 10th AUGUST, 2023

The present application is filed for grant of permission to respondent no. 3/applicant to withdraw the balance amount of Rs. 41,31,777/- along with accrued interest thereon.

2. This Court vide order dated 17/07/2023 had granted permission to withdraw the balance amount. The First Appeal came to be disposed of on 17/03/2023. The respondent no. 2 has executed Special Power of Attorney in favour of respondent no. 3. In view thereof, prayer has made to allow respondent no. 3 to withdraw the balance amount, so deposited, along with accrued interest. As such, the application is allowed.

3. Registry is directed to disburse the balance amount in favour of respondent no. 3 after due verification of of Special Power of Attorney and documents placed on record.

4. The applicant – Special Power of Attorney Holder has to file affidavit, if not filed earlier, to the effect that he will pay the amount to respondent no. 2 of his share on receipt of compensation amount.
5. The application stands disposed of.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar