

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

CIVIL APPLICATION (CAF) NO.4521 OF 2019

IN
FIRST APPEAL NO.1060 OF 2016

Executive Engineer (VI.D.C.) Purna Medium Project Division, Achalpur,
Dist. Amravati

Vs.

Purushottam s/o Dattuji Wankhade (Deceased), through his LR.
a) Subhash s/o Purushottam Wankhade and others

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

Court's or Judge's orders

Mrs. Anjali Arvind Joshi, Advocate for applicant.
Shri R. J. Shinde, Advocate for respondent Nos.1(a) to 1(d).
Ms. Shamsi Haider, AGP for respondent Nos.2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 19/01/2023

1. By this application respondent Nos.1a to 1d/
original claimants are seeking modification of order
dated 20.8.2019 by which the respondents are permitted
to withdraw 50% of balance amount on usual
undertaking.

2. In fact, vide order dated 16.03.2017, the
respondents are already permitted to withdraw 60 % of
amount and only 40% amount was remained to be
withdrawn. Inadvertently, in order dated 20.08.2019,
respondents are permitted to withdraw 50% instead of
40%. It is clerical mistake which can be corrected.

3. In view of the above reasons, application is allowed.

4. The respondent Nos.1(a) to 1(d) are permitted to withdraw 40% of remaining amount as balance on usual undertaking. Amount be disbursed on due identification and verification.

5. Civil Application is disposed of.

(URMILA JOSHI-PHALKE, J.)

Sarkate