



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

CIVIL APPLICATION NO.3001 OF 2024

IN

FIRST APPEAL NO.245 OF 2022

[Vidarbha Irrigation Development Corporation .vs. Savita Nilkanthrao Dhengale and others]

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

Court's or Judge's orders

Ms. Ashwini Athalye, Advocate for the appellant.
 Mr. A.B. Nakshane, Advocate for applicant-respondent no.1.
 Ms. H.S. Dhande, AGP for respondent nos.2 and 3.

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CORAM : SANJAY A. DESHMUKH, J.

DATE : 16th OCTOBER, 2024.

1. Heard the learned Advocates for both the sides.
2. This application is filed by the applicant-respondent no.1 for withdrawal of the amount deposited in the reference court as well as this court.
3. Learned Advocate for the applicant-respondent no.1 submitted and pointed out that the appellant-VIDC has deposited the total principal amount of Rs.41,99,099/- before the Reference Court, Yavatmal in LRD No.19/2023 and interest amount of Rs.38,63,605/- before this Court. He prayed for withdrawal of 75% amount. He also seeks permission to withdraw entire amount of Rs.41,99,099/- from the Reference Court and only an amount of Rs.18,47,929/- out of the amount deposited in this Court.

4. Considering his prayer, the application deserves to be allowed, as prayed.

5. Reference Court, Yavatmal is directed to pay Rs.41,99,099/- to the applicant-respondent no.1 on usual undertaking and Registry of this court is directed to pay Rs.18,47,929/- to the applicant-respondent no.1 along with interest accrued thereon, on usual undertaking.

6. The application is allowed and disposed.

(SANJAY A. DESHMUKH, J.)