



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

CIVIL APPLICATION (CAF) NO.3194 OF 2024 IN
FIRST APPEAL NO.595 OF 2022

VIDC, Yavatmal .Vs. Pyaresahab Chhotesahab Sheikh and others

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

Court's or Judge's Order

Ms Gargi Bhai, Adv. h/f Ms A.S. Athalye, Adv. for appellant.
Ms M.R. Kavimandan, A.G.P. for respondents/State.
Shri A.B. Nakshane, Advocate for respondent Nos.1 and 2.

CORAM : SANJAY A. DESHMUKH, J.
DATED : 25/10/2024

1. This is an application for withdrawal of amount of Rs.50,97,346/- along with accrued interest thereon, deposited as per the award of the Reference Court.
2. Heard learned advocates for both sides.
3. Perused the application.
4. The learned advocate for the claimants submits that only principal amount is deposited and yet the interest is to be deposited. He therefore prayed to withdraw the entire amount. The learned advocate for the appellant submits that only 50% amount may be allowed to pay to the claimants.
5. It shows that only principal amount is deposited. Considering peculiar set of facts, it would be proper to direct the Reference Court at Yavatmal to pay

75% amount out of Rs.50,97,346/- to the claimants along with accrued interest thereon on usual undertaking.

6. The amount be paid to the respondent No.1 who is power of attorney holder for respondent No.2.

7. Application is **allowed** and **disposed**.

Sd/-

(SANJAY A. DESHMUKH, J.)

Correction is carried out as per Court's order dated 07.04.2025.

(M.W. CHANDWANI, J.)