



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

CIVIL APPLICATION [CAF] NO.3688 OF 2024 IN
FIRST APPEAL NO.855 OF 2023

[VIDC .vs. Jyoti Prabhakar Nayase and others]

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

Court's or Judge's orders

Mr. J.B. Kasat, Advocate for Appellant.
Mr. Paras Rathi, Advocate for Respondent No.1.
Mr. S.S. Hulke, AGP for Respondent Nos.2 and 3.
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CORAM : SANJAY A. DESHMUKH, J.
DATE : 14th DECEMBER, 2024.

1. This is an application filed by respondent nos.1A to 1D for grant of permission to withdrawn an amount of Rs.37,48,490/- along with accrued interest thereon deposited by the appellant under award of the Reference Court.

2. Perused the application.

3. Heard the learned advocate for both sides.

4. Learned advocate for the respondents pointed out that original claimant Jyoti is no more. Her legal representatives are on record.

5. Considering the prayer, the application deserves to be partly allowed as under :

Registry is directed to pay 50% amount to the claimants on usual undertaking and 25% amount on execution of solvent surety/security along with interest accrued thereon.

6. Learned advocate further pointed out that power of attorney executed by other three legal representatives of Jyoti in the name of Prabhakar Bhagwansa Nayase.

7. Registry is directed to pay that amount accordingly to Prabhakar Bhagwansa Nayase.

8. The application is disposed of.

(SANJAY A. DESHMUKH, J.)