



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

CIVIL APPLICATION [CAF] NO.3678 OF 2024

IN

FIRST APPEAL ST. NO.15870/ 2023 (FIRST APPEAL NO.1141/2024)

[VIDC .vs. Kamlabai Balaji Khandare and others]

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

Court's or Judge's orders

 Smt. Ashwini Athalye, Advocate for Appellant.
 Mr. Paras Rathi, Advocate for Respondent Nos.1a to1b.
 Ms. R.V. Sharma, AGP for Respondent Nos.2 and 3.

CORAM : SANJAY A. DESHMUKH, J.

DATE : 14th DECEMBER, 2024.

1. This is an application for grant of permission to withdraw an amount of Rs.1,06,41,470/- deposited by the appellant in this court as per the judgment and award of the reference court.
2. Perused the application.
3. Heard the learned advocate for both sides.
4. Considering the reasons mentioned in the application, the application is allowed.
5. Registry is directed to pay 50% amount on usual undertaking and 25% amount on execution of solvent surety/security along with accrued interest thereon to the power of attorney holder i.e. respondent no.1b Gautam Balaji Khandare.
6. Learned advocate for applicants submitted that in prayer clauses (ii) and (iii) wrongly respondent nos.1 and 2 are typed, however, it shall be read as R-1a and 1b.
7. Registry is directed to pay the amount accordingly to Respondent No.1b Gautam Balaji Khandare.

8. The application is allowed and disposed of.

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1. Learned advocate for appellant seeks three weeks' time for filing photographs of plantation of the trees as per the directions of this court.

2. At her request, stand over after three weeks.

(SANJAY A. DESHMUKH, J.)

Gulande