



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

CIVIL APPLICATION (CAF) NO. 48 OF 2024

IN

FIRST APPEAL NO. 381 OF 2020

V.I.D.C., TUR. EXEC.ENGR., MEDIUM & MINOR IRRIGATION DIVN., ACHALPUR

VERSUS

SAU. SANDHYABAI W/o WAMANRAO MOHOD (Dead) THRU. LRs AND OTHERS

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

Court's or Judge's Order

Mr. J. B. Kasat, Advocate for the appellant.
Mr. Pawan Sarise, Advocate h/f Mr. R.J.Shinde, Advocate for
respondent nos.1 (a) to 1(c)
Mr. K. R. Lule, A.G.P. for respondent nos.2 and 3

CORAM : G. A. SANAP, J.

DATE : FEBRUARY 06, 2024.

1. This is application for withdrawal of the amount of compensation, made by respondent nos.1 (a) to 1 (c).
2. Original respondent no.1 was allowed, vide order dated 07.12.2020 in Civil Application (CAF) No. 1452/2020, to withdraw the amount of compensation. In view of this, respondent nos.1(a) to 1(c) are allowed to withdraw 100% amount i.e. Rs.6,10,376/- deposited in this Court and Rs.3,57,899/- deposited in the Reference Court. As prayed for the applicants, respondent no.1 (b) – Vinayak S/o Wamanrao Mohod, being the constituted attorney of respondent nos.1 (a) and 1 (c), is permitted to withdraw the entire amount of compensation on their behalf.
3. The Nazir is directed to transfer Rs.6,10,376/- along with accrued interest in the bank account of respondent

no.1(b) – Vinayak S/o Wamanrao Mohod on personal identification.

4. The Court of Civil Judge, Senior Division, Achalpur is directed to transfer an amount of Rs.3,57,899/- along with accrued interest in the bank account of respondent no.1(b) – Vinayak S/o Wamanrao Mohod on personal identification and as per the office procedure.

5. The respondent no.1(b) – Vinayak S/o Wamanrao Mohod is directed to furnish an undertaking that he will return the 50% amount, if the decision goes against them and furnish solvency certificate for remaining 50% of the amount.

6. The respondent no.1(b) – Vinayak S/o Wamanrao Mohod is directed to make the compliance in this Court only and office is directed to give intimation to the learned Reference Court.

7. The civil application stands disposed of in the aforesaid terms. No costs.

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Four weeks time is granted to the appellant as a last chance to file the paper book.

JUDGE