



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CIVIL APPLICATION (CAF) NO. 2765 OF 2024
IN
FIRST APPEAL NO. 353 OF 2023

MAHARASHTRA STATE POWER GENERATION CO. LTD.

Vrs.

BHAURAO RAMRAO HIWARALE AND OTHERS

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

Court's or Judge's Order

Shri N. G. Mohrir, Advocate for appellant.
Shri Raunak Kurani, Advocate h/f Shri A. B. Patil, Advocate for
respondent Nos.1 to 10.
Ms.Mukta Kavimandan, AGP for respondent-State.

CORAM: SANJAY A. DESHMUKH, J.
DATE : 07/10/2024.

1. This is an application for permission to withdraw the amount deposited by the appellant.
2. Perused the application.
3. Heard learned Advocates for both sides.
4. The amount of Rs.1,30,64,958/- is deposited by the appellant as per the award of the Reference Court.
5. Considering the peculiar set of facts, it would be proper to allow respondent Nos.1 to 10 - Claimants to withdraw 75% amount along with accrued interest.
6. Registry is directed to pay 75% amount to the respondent No.1 to 10 - Claimants along with interest accrued thereon. Registry is directed to pay that amount to the respondent No.1 who is power of attorney holder of other claimants i.e. the respondent Nos.2 to 10.

Corrected as per
Court's order
dated 19.10.2024.

7. Registry is directed to pay 50% amount on usual undertaking and 25% amount on execution of solvent surety to respondent Nos.1 to 10 – Claimants.
8. The application is partly allowed and disposed of.

[SANJAY A. DESHMUKH, J.]

Choulwar