



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

CIVIL APPLICATION (CAF) No.2574 OF 2024
IN
FIRST APPEAL No.424 OF 2019 (D)

(The Executive Engineer, Bembla Project, Yavatmal Vs. Hukumchand Uttamchand Kotecha 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. M.A. Kadu, Advocate for appellant.
Mr. Mohit Dube h/f. Mr. A.B. Nakshane, Advocate for respondent
Nos.1,2,3(i) to 3(v).
Mr. H.S. Dhande, AGP for respondent Nos.4 and 5.

CORAM : SANJAY A. DESHMUKH, J.
DATE : 25th SEPTEMBER, 2024.

1. This is an application for withdrawal of remaining amount of Rs.20,06,675/- deposited by the appellant.
2. Perused the application.
3. Heard learned Advocates of both sides.
4. Considering the prayer, the application deserves to be allowed in the interest of justice.
5. The application is allowed.
6. The Registry is directed to pay Rs.20,06,675/- along with accrued interest thereon to the respondent Nos.1,2 and 3 equally.
7. The respondent No.3 is a dead person. Therefore, share of respondent No.3 shall be distributed amongst respondent Nos.3(i) to 3(v).

8. The respondent Nos.3(ii) to 3(v) have given power-of-attorney to respondent No.3(i). Hence, Registry is permitted to give amount to respondent No.3(i).
9. The application is disposed of.
10. The balance amount be refunded to the appellant.

(SANJAY A. DESHMUKH, J.)