

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

CIVIL APPLICATION (CAF) NO.757 OF 2025 IN
FIRST APPEAL NO.435 OF 2014

Executive Engineer, Minor Irrigation Division, Washim Vs. Ashok Digambar Kolhare & Ors

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

Court's or Judge's orders.

Shri A.V. Palshikar, Advocate for appellant.
 Shri C.U. Deopujari, Advocate for respondent no.1.
 Shri M.A. Kadu, AGP for respondent nos.2 & 3/ State.

CORAM : M.W. CHANDWANI, J.

DATE : 24.04.2025.

1. By order dated 24.06.2016, this Court has allowed respondent no.1 to withdraw an amount of Rs.1,00,000/- out of the amount deposited by the appellant, subject to giving an undertaking to this Court within a period of two weeks.
2. The contention is that order was informed to the local counsel but the local counsel misconstrued the directions and presumed it to submit solvent surety and therefore, the order could not be complied with till date.
3. For the reasons mentioned in the application, the application is allowed in view of order dated 24.06.2016. Respondent no.1 is permitted to withdraw an amount of Rs.1,00,000/- on furnishing usual undertaking.
4. The application stands disposed of.

JUDGE

Wagh