



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

CIVIL APPLICATION (CAF) NO. 3113 OF 2024
IN
FIRST APPEAL NO. 1246 OF 2019

VIDC, Yavatmal and anr.
Vs.
Madhav Rama Borkar (dead) Thru. LRs

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mrs. PP Chobe, Advocate for applicants.
Ms. Seema L. Telange, Advocate a/w Ms. L.G. Tiple,
Advocate for respondent Nos.1 to 4.
Mrs. Hemlata S. Dhande, AGP for respondent Nos.5 & 6.

CORAM : ROHIT W. JOSHI, J.

DATE : 03.02.2025.

The respondent No.1 has moved the present application seeking permission to withdraw sum of Rs.7,00,845/- deposited by the appellant with this Court. The parties submit that apart from this amount a sum of Rs.4,00,000/- was deposited before the learned reference Court, which is already withdrawn.

2. The application indicates that the respondent No.1 alone has moved the present application for withdrawal of amount. However, the

learned counsel for respondent Nos.1 to 4 makes a statement that application be treated as one seeking permission to withdraw amount on behalf of respondent Nos.1 to 4. He has filed power of attorney dated 29.11.2021 executed by respondent Nos.2 to 4 in favour of respondent No.1.

3. The respondent Nos.1 to 4 are permitted to withdraw a sum of Rs.3,50,000/- on furnishing usual undertaking. It is clarified that although the respondent No.1 may complete formalities regarding withdrawal of the amount, the amount shall be disbursed to respondent Nos.1 to 4.

4. The civil application is disposed of.

(ROHIT W. JOSHI, J.)