



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

CIVIL APPLICATION (CAF) NO. 2394 OF 2025 IN
FIRST APPEAL NO. 534 OF 2024

V.I.D.C. through Executive Engineer, Purna Medium Project Achalpur (Amravati Irrigation
Division, Amravati) Vs.

Shankarrao Rajaram Nawalkar (Dead) through L.Rs. and others

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

Court's or Judge's orders

Shri V.B. Rathi, Advocate h/f Shri Purushottam Patil, Advocate for appellant
Shri A.P. Deshmukh, Advocate for respondent Nos.1(a) to 1(e) and 1e(i) to 1e(iv)
Ms H.S. Dhande, AGP for respondent/State

CORAM : SHRI ABHAY J. MANTRI, J.
DATED : 23.07.2025

Applicants/respondents i.e. Nos.1(a) to 1(d) and legal heirs of 1(e) i.e.1(e)(i) to 1(e)(iv), have filed this application for permitting them to withdraw the amount deposited by the appellant in this Court, for which, learned Counsel for the appellant has given no objection to withdraw 50% of amount on usual undertaking and additional 25% on furnishing solvent surety/security to the satisfaction of the Court.

2. Considering the reason disclosed in the application, as well as no objection of the learned Counsel for the appellant, the application is partly allowed. The applicants are entitled to withdraw 75% of the amount, along with accrued interest thereon. Out of this, 50% of the amount is permitted to be withdrawn upon furnishing a usual undertaking, and 25% of the amount is permitted to be withdrawn upon furnishing a solvent surety/security to the satisfaction of the Registry.

3. It is made clear that the said amount is to be distributed in five equal shares, i.e. 4 shares between respondent Nos. 1(a) to 1(d) (each one share) and a fifth share among legal representatives of 1(e).

4. Registrar (J) is directed to transfer the amount in the bank account of the respective applicants in proportionate amounts as observed above within five weeks along with accrued interest thereon, on their furnishing usual undertaking, solvent surety and the bank account details to the Registry.

(ABHAY J. MANTRI, J.)

Jayashree....