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

CIVIL APPLICATION (F) NO. 1306/2026
IN
FIRST APPEAL NO. 1062/2016

Executive Engineer, Bembla Project Division, Yavatmal

..versus..

Chetan Mohakar & others

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

.....
Court's or Judge's orders

.....
Shri S.U. Nemade, Advocate for the Respondent Nos. 1-3
Shri N.R. Patil, AGP for the Respondent/State

CORAM:- M.S. JAWALKAR & NANDESH S. DESHPANDE, JJ.
MARCH 27, 2026

. The present Application is filed by the Respondent Nos. 1 to 3 – original Claimants for grant of permission to furnish undertaking for the purpose of withdrawal of the deposited decretal amount.

(2) It is submitted that this Court, vide order dated 03/10/2025, permitted the Respondent Nos. 1 to 3 to withdraw 60% of the entire decretal amount i.e. Rs. 55,09,331/-, upon furnishing usual undertaking for 50% amount and furnishing solvent surety for remaining 50% amount.

(3) It is submitted that the solvent surety is already furnished. However, due to old age and sickness, the original Claimants could not

furnish the undertaking as required. Now, the Respondent Nos. 1 to 3 are ready to furnish the undertaking.

(4) For the reasons stated in the Application, the Application is **allowed**. The Respondent Nos. 1 to 3 – original Claimants are permitted to furnish the undertaking within a period of one week. Office to see whether the physical attendance of the Respondent Nos. 1 to 3 are required or not.

(5) The Application stands **disposed of**.

(NANDESH S. DESHPANDE, J.)

(M.S. JAWALKAR, J.)