

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

First Appeal No. 196 of 2012
with
Civil Application [CAF] No. 2363 of 2011
with
Civil Application [CAF] No. 658 of 2012

(Vidarbha Irrigation Development Corporation
Vs.
Smt. Mangala Wd/o. Omprakash Agrawal and others)

Office Notes, Office Memoranda of Coram,
Appearances, Courts orders or directions
and Registrar's orders.

Court's or Judge's orders

Mr. A.B. Patil, Counsel for the appellant.
Mr. V.N. Patre, Counsel for respondent nos.1 to 4.
Mr. A.D. Sonak, AGP for respondent nos. 5 & 6.

**CORAM : B.P. DHARMADHIKARI AND
A.B. CHAUDHARI, JJ.**

DATE : MARCH 27, 2012.

Heard.

ADMIT.

Mr. Patre, learned counsel waives notice for respondent
nos.1 to 4.

Mr. Sonak, learned A.G.P. waives notice for respondent
nos. 5 and 6.

Civil Application [CAF] No.2363/2011:-

Since the amount is already deposited, interim relief
granted earlier is confirmed.

Civil Application [CAF] No.658/2012:-

Heard.

In view of facts disclosed in affidavit and documents annexed, we presently permit withdrawal of 60% of the amount of Rs.68,36,484/- as deposited. Amount is allowed to be withdrawn, subject to applicants-respondents nos.1 to 4 filing an undertaking, that in case appeal is allowed and the amount is required to be refunded, they shall refund the same along with such interest, as this Court may order within a period of six weeks after the said directions of the Court. Undertaking be filed within a period of two weeks from today. Along with the undertaking, solvent surety for the amount to be withdrawn shall also be submitted.

Liberty to apply for withdrawal of balance amount thereafter.

JUDGE

JUDGE

**sdw*