



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

CIVIL APPLICATION (CAF) NO. 1607 OF 2023

IN

FIRST APPEAL NO. 562 OF 2022

Vidarbha Irrigation Development Corporation, Yavatmal.

VS.

Sagarbai Dhanraj Rathod and others

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

Ms Malika Babhulkar, Adv. h/f. Mr M. A. Kadu, Advocate for the appellant
Mr R. J. Shinde, Advocate for respondent No.1

CORAM : G.A. SANAP, J.

DATE : AUGUST 30, 2023.

Heard.

2. This is an application made by respondent No. 1 for withdrawal of the amount deposited by the appellant in terms of order dated 06.12.2022. The amount deposited as per the report is Rs.26,93,120/- (Rs. Twenty Six Lacs Ninety three Thousand One hundred and twenty only). The reasons have been stated in the application.

3. In view of the reasons stated in the application, the application is allowed.

4. The respondent No.1 is allowed to withdraw the amount of Rs.26,93,120/- (Rs. Twenty Six Lacs Ninety

three Thousand One hundred and twenty only). The respondent No.1 is allowed to withdraw 50 % of the amount subject to undertaking that in case the appeal is decided against the respondents, then respondent No.1 will deposit the amount, as directed by this Court, with interest, as decided by the Court. The remaining 50% of amount is allowed to be withdrawn on furnishing solvent surety.

5. The amount be paid to the respondent No.1 within four weeks.

6. The application stands **disposed of**, accordingly.

FIRST APPEAL NO. 562 OF 2022

7. Fours weeks time is granted for filing paper book.

8. Stand over after **four weeks**.

(G. A. SANAP, J.)

Namrata