

Party Name : Nikhil Ch. Saha Vs The State Of Tripura & Anr

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THE HONBLE MR JUSTICE U. B. SAHA

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The instant application is filed by the claimant petitioner for allowing him to withdraw 25% of the rest amount of 50% of the awarded amount deposited by the appellants in connection with L.A. Appeal No. 09 of 2011 with the Registry of this Court in terms of the order dated 15.2.2011 passed in C.M application 44 of 2011. Heard P. Majumder, learned counsel appearing for the claimant petitioner who is the respondent in L.A. Appeal No. 9 of 2011. Heard also Mr. N. Mjumder, learned counsel appearing for the state appellant-opposite parties who has no objection to the prayer for withdrawal of the amount. Mr. Majumder submits that vide order dated 12.5.2011 passed in C.M. application No. 152 of 2011, the claimant petitioner was allowed to withdraw 75% of the 50% of the deposited amount subject to execution of indemnity bond to the satisfaction of the Registrar and the remaining 25% is still lying with the Registry of this Court. Hence, this application. It appears from the office note that rest amount of 25% has already been deposited with the Bank on a fixed deposit scheme. Considering the entire facts and circumstances, the claimant petitioner i.e. the respondent in the connected appeal, is allowed to withdraw the remaining 25% of the 50% of the deposited awarded amount subject to execution of an indemnity bond and on proper identification to the satisfaction of the Registrar General following necessary procedure. With the aforesaid order, C.M. application is disposed of. A copy of this order be furnished to the learned counsel for the claimant-petitioner.