

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

CIVIL APPLICATION F. NO.245/2015

IN

FIRST APPEAL NO.642/2014

Vidarbha Irrigation Development Corporation, Nagpur through its Executive Engineer, Purna Medium Project, Achalpur, Div. Distt. Amravati

...Versus...

Smt. Ramabai Purshottam Halawe (Dead) through her L.R.
Vasantrao Purushottam Halawe 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 A.S. Agrawal, Adv. h/f Shri P.B. Patil, Adv. for appellant
Shri Abhay Sambre, Advocate for respondent no.1-A
Shri M.A. Kadu, AGP for respondent nos.2 and 3

CORAM : Z.A. HAQ, J.

DATE : 11.02.2015

Shri A.S. Agrawal, the learned Advocate holding for Shri P.B. Patil, the learned Advocate for the appellant and Shri Abhay Sambre, the learned Advocate for the respondent no.1-A point out that in similar matter (In First Appeal St. No.11718/2013) this Court has permitted the land owner to withdraw 50% of the amount.

Accepting the statement made by the learned Advocates for the respective parties, the respondent no.1-A is permitted to withdraw 50% of the amount deposited by the appellant on filing undertaking to the satisfaction of the Registrar (Judicial) of this Court to the effect that if at the time of hearing it

is found that the respondent no.1-A is not entitled for the amount given to him, he shall deposit the amount along with interest as would be determined with the Registry of this Court within stipulated time.

The balance 50% amount shall be kept in fixed deposit in the nationalized Bank initially for the period of three years and to be renewed every year till the decision of the appeal.

The civil application is allowed in the above terms.

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The appellant shall file private paper-book within six months, failing which the appeal shall stand dismissed without reference to the Court.

JUDGE

Wadkar