

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

CIVIL APPLICATION (CAF) NOS. 3326 OF 2014
AND
CIVIL APPLICATION (CAO) NO. 191 OF 2015
IN
FIRST APPEAL NO. 124 OF 2015

VIDC Buldhana Vs. Madhavrao Suryabhan Shingne & Ors.

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

Court's or Judge's Order

Shri A. Parihar Adv for applicant.
Smt M. N. Hiwase AGP for respondent nos. 2 & 3.

CORAM: A. S. CHANDURKAR J.

DATED: 13 APRIL, 2015.

Civil Application No. 3326 of 2014: As the appellant has deposited an amount of compensation in the Reference Court execution of the impugned award shall remain stayed during pendency of the first appeal. Civil application stands disposed of.

Civil Application No. 191 of 2015: Prayer is to permit the respondent no.1 to withdraw the amount of compensation deposited with the Reference Court. It is submitted that in First Appeal No. 911 of 2014 and other connected appeals

such permission has been granted subject to furnishing surety to the satisfaction of the Reference Court in respect of amount of 50% of the compensation. Balance amount has been permitted to be withdrawn on filing undertaking.

In view of aforesaid, the respondent no.1 is permitted to withdraw 50% of amount of enhanced compensation, subject to furnishing solvent surety to the satisfaction of the Reference Court. Balance 50% of aforesaid amount is permitted to be withdrawn subject to furnishing undertaking in this Court that in case the appeal is allowed the said amount shall be repaid with interest at such rate the Court may direct. Civil application stands disposed of.

JUDGE