12.02.caf.331.15.

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

CIVIL APPLICATION (F) NO. 331/2015
IN
FIRST APPEAL NO. 691/2014
(Executive Engineer, Bemla Project ,Yavatmal **vs**. Sikandar Shekh Usman and others)

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

Court's or Judge's order

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Mr V.G.Palshikar, Adv.for appellant
Mr. Vishal Anand, Adv.for respondents 1 to 5

CORAM : B.R.GAVAI &
Mrs. MRIDULA BHATKAR, JJ.
DATED : 12th February, 2015.

This is an application for withdrawal of the amount which was deposited by the appellant in this Corut.

Prima facie, it we are of the view that the enhancement granted by the learned reference Court cannot be said to be unreasonably exorbitant. In any case, the amount which is deposited in this Court is only 50% of the amount awarded.

In that view of the matter, we are inclined to allow the Application, as under:

Fifty percent of the amount deposited in this Court is permitted to be withdrawn without any surety

and the remaining fifty percent is permitted to be withdrawn on the respondents/applicant nos.1 to 5 filing an undertaking in this Court that in the event the applicants are required to refund any amount, they shall do so within the period stipulated by the Court.

Civil Application stands disposed of accordingly.

JUDGE **JUDGE**

sahare