

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

CIVIL APPLICATION (CAF) NO. 423 OF 2015

IN

FIRST APPEAL NO. 483 OF 2014

VIDC thr Exe. Engineer Minor Irrigation WorksWardha Vs. Gajanan Laxman Timande & Ano.

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

Court's or Judge's Order

Shri P. B. Patil Adv for applicant.
Smt M. N. Hiwase AGP for respondent no. 2.

CORAM: A. S. CHANDURKAR J.

DATED: MARCH 25, 2015.

Prayer in the present application is for permission to withdraw the amount of enhanced compensation deposited by the appellants in this Court. It is submitted that in similar circumstances in First Appeal No. 1257 of 2013 the claimant therein was permitted to withdraw 50% of the amount of enhanced compensation on furnishing solvent surety and remaining 50% was permitted to be withdrawn on submitting usual undertaking. Hence considering aforesaid, the respondent no.1 is permitted to withdraw 50% of the amount

as deposited subject to furnishing solvent surety to the satisfaction of the Registrar (Judicial) of this Court. Similarly remaining 50% shall be permitted to be withdrawn on furnishing undertaking that in case the appeal is allowed the respondent no.1 shall repay said amount with interest at such rate that the Court may direct. Civil Application is disposed of.

JUDGE

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