

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

CIVIL APPLICATION (CAF) NO.1964 OF 2014
IN
FIRST APPEAL (ST)NO.4001 OF 2014

Executive Engineer, Lower Wardha Project Dvn. (V.I.D.C.), Wardha.

-vs-

Vasant Babarao Tikle & Ors.

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

Court's or Judge's Orders.

Shri S. G. Jagtap, Advocate for appellant.
Shri S. D. Chopde, Advocate for respondent No.1.
Smt. M. N. Hiwase, AGP for respondent Nos.2 to 4.

CORAM : A.S.CHANDURKAR, J.
DATE : APRIL 24, 2015

Though prayer for condonation of delay is opposed by learned counsel for respondent No.1, considering the contents of letter dated 27/09/2013 that was tendered by learned counsel for the applicant for perusal, delay in filing the First Appeal stands condoned.

Civil application is allowed and disposed of.

First Appeal (St) No.4001 of 2014

Heard.

Admit.

Call for record and proceedings.

Shri S. D. Chopde, learned counsel waives notice on behalf of respondent No.1. Smt. M. N. Hiwase, learned Assistant Government Pleader waives notice on behalf of respondent Nos.2 to 4.

Civil Application (CAO) No.645 of 2015.

Prayer is to permit the respondent No.1 to withdraw amount of enhanced compensation. It is submitted that in First Appeal No.751 of 2014, in respect of adjoining land, the claimant therein has been permitted to withdraw the amount

of compensation by furnishing usual undertaking. The aspect of such permission been granted is not disputed by the learned counsel for the appellant. Hence the respondent No.1 is permitted to withdraw amount of enhanced compensation subject to furnishing usual undertaking in this court.

Civil Application is allowed and disposed of.

JUDGE