

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

CIVIL APPLICATION (CAF) NO. 3117 & 3118 OF 2014 & CAO 679 OF
2015

IN

FIRST APPEAL ST. NO. 20761 OF 2014

VIDC Purna Project Achalpur Vs. Bhimrao Sitaramji Pete & Ors.

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

Court's or Judge's Order

Shri J. B. Kasat Adv for applicant.
Shri Abhay Sambre Adv for respondent no. 1.
Smt M. N. Hiwase AGP for respondent nos. 2 & 3.

CORAM: A. S. CHANDURKAR J.

DATED: 22 APRIL, 2015.

Prayer is to condone delay in filing first appeal. Reasons for said delay are mentioned in paras 3 and 4 of the application.

Application is opposed by learned counsel for respondent no. 1 on the ground that reasons assigned are not sufficient.

Considering the reasons mentioned in the application the delay in filing first appeal stands condoned. Civil application is allowed and disposed of.

F. A. St. No. 20761 of 2014: Heard. **Admit.** Call for record and proceedings. Shri Sambre, learned counsel waives notice on behalf of respondent no.1. Learned AGP waives notice on behalf of respondent

nos. 2 and 3.

C. A. F. No. 3118 of 2014: As the applicant has complied with order dated 12.11.2014 ad interim stay granted shall continue to operate as interim stay. Civil application is allowed and disposed of.

C. A. O. No. 679 of 2015: Prayer is to permit respondent no. 1 to withdraw the amount of enhanced compensation. It is submitted that in similar matters this Court has permitted the claimants therein to withdraw 50% of the amount on furnishing undertaking and remaining amount subject to furnishing solvent surety.

The fact of similar permission being granted is not contested by the learned counsel for the applicant. Hence respondent no.1 is permitted to withdraw 50% of the amount of enhanced compensation subject to furnishing usual undertaking. Remaining amount of 50% is permitted to be withdrawn subject to furnishing solvent surety to the satisfaction of the Registrar (Judicial). Civil application is allowed and disposed of.

JUDGE

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