

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

FIRST APPEAL NO.130/2015

The Executive Engineer, Lower Wardha Project Division, V.I.D.C., Wardha
..Versus..

Pritviraj Nagorao Kasar through L.Rs. and others

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

Court's or Judge's orders

Shri M.A. Kadu, A.G.P. for respondents 7 and 8.

CORAM : Z.A. HAQ, J.

DATE : 3.3.2015

Shri U.K. Bisen, the learned advocate for the respondents 1 to 6 has submitted that the grounds raised in the memorandum of appeal are based on the facts of some other case and not on the basis of facts of Land Acquisition Case No.642/2007. Shri S.S. Godbole, the learned advocate for the appellant seeks time to take appropriate steps in the matter.

C.A.F. NO.1617/2014.

The appellant has deposited 75% of the amount granted by the

Reference Court. Considering the facts of the case and the findings recorded by the Reference Court in paragraph no.12 of the impugned order, *prima facie*, I am convinced that the respondents 1 to 6 can be permitted to withdraw the amount deposited by the appellant.

The respondents 1 to 6 be given the amount deposited by the appellant on filing undertaking before the Registrar (J.) of this Court to the effect that if it is found that the respondents 1 to 6 are not entitled for the amount withdrawn by them, they will redeposit the amount with interest as would be determined by this Court within the stipulated time. The amount be given to the respondents 1 to 6 as per the order passed by the Reference Court.

The interim order granted by this Court on 8th July, 2014 shall continue until further orders. The civil application is disposed of in the above terms.

JUDGE