

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

CIVIL APPLICATION (CAF) NO.1093 OF 2015
IN
FIRST APPEAL NO.30 OF 2015

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

-vs-

Vishwas Gulabrao Kale & 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 V. N. Patre, Advocate for respondent Nos.1 to 8/applicants.
Smt. M. N. Hiwase, AGP for respondent Nos.9 and 10.

CORAM : A.S.CHANDURKAR, J.
DATE : MAY 06, 2015

Prayer is to permit the claimants to withdraw the amount of compensation deposited by the appellant. Reasons for seeking withdrawal are mentioned in paragraphs 2 and 3 of the application.

The application is opposed by learned counsel appearing for the appellant on the ground that enhancement granted is without sufficient evidence.

Prima facie considering the evidence available on record, the claimants are permitted to withdraw 50% of the amount deposited by the appellant subject to furnishing undertaking that in case the appeal is allowed, said amount shall be repaid with interest at such rate the Court may direct. Further amount of Rs.6 lakhs is permitted to be withdrawn on solvent surety to the satisfaction of the Registrar (Judicial).

Civil Application stands disposed of.

JUDGE