

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

CIVIL APPLICATION (CAF) NO. 1075 OF 2014
IN
FIRST APPEAL NO. 1284 OF 2013

Union of India Central Railway & Ano. Vs. Mohammad Rafique Abdul Kadar & Ors.

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

Court's or Judge's Order

Shri R. G. Agrawal Adv for applicants.
Shri H. D. Dubey AGP for respondents 2 & 3.

CORAM: A. S. CHANDURKAR J.

DATED: MARCH 25, 2015.

Prayer is to permit the respondent no.1-claimant to withdraw the amount deposited by the appellant towards acquisition of his land. It is stated that the respondent no.1 desires to start his own business and hence is in need of money.

Application is opposed by learned counsel for the appellant on the ground that enhancement granted by the reference Court is on a higher side. Considering the nature of enhancement and reasons assigned in the application the

respondent no.1 is permitted to withdraw 50% of the amount deposited by the appellants subject to furnishing an undertaking that in case the appeal is allowed, the respondent no.1 shall refund aforesaid amount with interest at such rate that the Court may direct. Application is allowed in aforesaid terms. No costs.

JUDGE

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