

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

CIVIL APPLICATION (CAF) NO.1267 OF 2014
IN
FIRST APPEAL NO.1395 OF 2013

Vidarbha Irrigation Development Corporation, Thr. Its Executive Engineer, Wardha.

-VS-

Kailash Krushnaraoji Ajmire & Ors.

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

Court's or Judge's Orders.

Shri V. G. Palshikar, Advocate for appellant.
Shri S. D. Dharaskar, Advocate for respondent No.1.
Shri H. D. Dubey, AGP for respondent Nos.2 and 3.

CORAM : A.S.CHANDURKAR, J.
DATE : MARCH 30, 2015

Prayer is to permit respondent No.1 to withdraw sum of Rs.32,05,808/- deposited by the appellant. Reason assigned is in respect of absence of any source of income.

The application is opposed by the learned counsel for the appellant on the ground that compensation that was awarded by the Land Acquisition Officer @ Rs.75,900/- per hectare has been enhanced to Rs.20,00,000/- per hectare.

Considering the reasons assigned in the judgment, respondent No.1 is permitted to withdraw sum of Rs.10,00,000/- (Rupees Ten lacs) subject to furnishing undertaking that in case the appeal is allowed, he shall repay the aforesaid amount with interest at such rate the Court may direct. C.A. is disposed of.

C.A.F. No.2178 of 2013.

As the appellant has deposited the decretal amount in terms of order dated 02/09/2013, the *ad-interim* order granted stands confirmed. C. A. is disposed of.

JUDGE