

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

CIVIL APPLICATION F. NO.1266/2014

IN

FIRST APPEAL NO.1317/2013

Vidarbha Irrigation Development Corporation, through its Executive Engineer,
Lower Wardha Project Division, Wardha, Tah. and Distt. Wardha

...Versus...

Ashok s/o Vithoba Polade 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 A.V. Palshikar, Advocate for appellant
Shri V.T. Deshpande, Advocate for respondent no.1/applicant
Shri M.A. Kadu, AGP for respondent nos.2 to 4/State

CORAM : Z.A. HAQ, J.

DATE : 06.02.2015

Considering the facts of the case specially that the reference Court has granted enhanced compensation 20 times than the amount of compensation granted by the Land Acquisition Officer, the respondent no.1 is permitted to withdraw 20% of the amount deposited by the appellant. The respondent no.1 shall be given 10% of the amount on furnishing solvent surety to the satisfaction of the Registrar (Judicial) of this Court and 10% amount shall be given to the respondent no.1 on filing undertaking to the satisfaction of the Registrar (Judicial) of this Court to the effect that in case at the time of hearing of the appeal it is found that the respondent no.1 is not entitled for the amount which is given to him, the respondent no.1 shall redeposit the amount with interest as would be determined by this Court within the stipulated time.

The balance 80% amount shall be kept in fixed deposit in the Nationalized Bank initially for the period of three years and to be renewed every year till the decision of the appeal.

The civil application is disposed of in the above terms.

JUDGE

Wadkar