

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

CAF NO. 2063/2015 IN FIRST APPEAL NO. 226 OF 2011

(Executive Engineer, Medium Project, VIDC, Nagpur vs. Shri Sheshrao Baliramji Bodhare & Ors.)

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

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
P.N. DESHMUKH, JJ.
SEPTEMBER 03, 2015.**

Heard Shri Kasat, learned counsel for the appellant, Shri Najbile, learned counsel for the applicant - respondent No. 1 and Mrs. Deshpande, learned AGP for respondent Nos. 2 & 3.

Respondent No. 1 - land owner points out that on 06.04.2015, Civil Application (F) No. 611 of 2015 preferred by him has been allowed and the entire amount of compensation deposited by the appellant has been allowed to be withdrawn, however, interest accrued upon it has not been permitted to be withdrawn. Therefore, now leave is sought to withdraw the interest amount.

Shri Kasat, learned counsel states that the interest amount is roughly Rs.18,86,055.

In this situation, subject to same arrangement as ordered in relation to principal amount on 06.04.2015, we also permit Respondent No. 1 to withdraw the interest amount. Respondent No.1 shall file an undertaking separately in relation to said amount that if refund becomes necessary, it shall return the total amount within a period of

six weeks with such interest as this Court may in that event order. 50% of the interest amount shall be allowed to be withdrawn on furnishing such an undertaking while the remaining 50% amount shall be allowed to be withdrawn on furnishing solvent surety to the satisfaction of the Registrar (Judicial) of this Court.

Civil Application is accordingly allowed and disposed of.

JUDGE

JUDGE

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