

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

CIVIL APPLICATION (CAF) NOS. 3148 & 3468 OF 2014

IN

FIRST APPEAL NO. 821 OF 2014

M.I.D.C. Nagpur Vs. Dilip Bapuraoji Nikhade & Ors.

WITH

FIRST APPEAL NOS. 822 OF 2014 AND 1398 OF 2013

M.I.D.C. Nagpur Vs. Ramesh Bapuraoji Nikhade & Ors. And
 Bapuraoji D. Nikhade thr Bainabai w2/o Bapuraoji Nikhade & Ors.

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

Court's or Judge's Order

.....
 Shri M. M. Agnihotri Adv for appellant.
 Shri R. L. Khapre Adv for respondent no.1
 Shri H. D. Dubey AGP for respondent no.2.

CORAM: A. S. CHANDURKAR J.

DATED: APRIL 30, 2015.

By these applications the respondent no. 1-claimant seeks
 permission to withdraw the amount of enhanced compensation.

Prayer as made is opposed by the appellant by filing reply where
 in it is stated that the claimants have filed separate writ petitions in which they
 have challenged the award passed by the reference Court.

Perusal of the prayers made in the writ petition indicate an
 alternate prayer seeking compensation at enhanced rate. Be that as it may ,
 claimants can be permitted to withdraw part of the amount of compensation
 on furnishing solvent surety.

The claimants are therefore permitted to withdraw 75% of the

amount of compensation deposited by the appellant in each first appeal subject to furnishing solvent surety to the satisfaction of the Registrar (Judicial). Applications are allowed in aforesaid terms.

Civil Application no. 3147 of 2014: Learned counsel for the respondent no.1 seeks permission to withdraw the civil application as separate application seeking withdrawal of the amount has been filed. Application disposed of as withdrawn.

JUDGE

svk