

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

CIVIL APPLICATION F. NO.3328/2014

IN

FIRST APPEAL NO.773/2013

Maharashtra Industrial Development Corporation, Amravati through its Chief
Executive Officer

...Versus...

Janardhan Uttamrao Gawai and others

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

Court's or Judge's orders

Ms Athalay, Adv. h/f Shri M.M. Agnihotri, Adv. for appellant
Ms Jayshree Junghare, Adv. for respondent no.1/applicant
Mrs. B.P. Maldhure, AGP for respondent nos.2 and 3

CORAM : Z.A. HAQ, J.

DATE : 03.02.2015

This is an application filed by the respondent no.1 seeking permission to withdraw the amount deposited by the appellant.

Ms Athalay, the learned Advocate holding for Shri Agnihotri, the learned Advocate for the appellant submits that in the proceedings arising out of the same notification under Section 4 of the Land Acquisition Act, 1894, First Appeal Nos. 14/2011 and 463/2011 are pending before this Court.

This appeal be listed along with the above referred appeals on 26.06.2015.

In the meantime, the respondent no.1 is permitted to withdraw 50% of the amount, deposited by the appellant with the Registry of this Court on furnishing undertaking to the satisfaction

of the learned Registrar (Judicial) to the effect that in case this Court finds at the time of final hearing that the respondent no.1 is not entitled for the amount permitted to be withdrawn by him, the respondent no.1 shall deposit the amount along with interest as would be determined by this Court within stipulated time.

The balance amount be invested in fixed deposit in the Nationalized Bank initially for the period of three years and to be renewed every year until further orders.

The civil application is disposed of in the above terms.

JUDGE

Wadkar