

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

CIVIL APPLICATION (F) NO.1375 OF 2016
IN
FIRST APPEAL NO.869 OF 2013

EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION WASHIM
VS
BHAGWAT N. WABALE 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 J. B. Kasat Advocate for the appellant.
Shri H. R. Dhumale, Asstt. Govt. Pleader for respondent No.2.

CORAM : A.S. CHANDURKAR, J.
DATED : APRIL 05, 2016.

Prayer is to permit the claimant to withdraw the amount of compensation. The application is opposed by the learned Counsel for the appellant on the ground that there is a dispute with regard to existence of trees from the acquired land.

Perused the impugned judgment. The amount granted for the trees is Rs.92,000/-. The amount granted by the Land Acquisition Officer is stated to be between Rs.25,500/- to 58,000/- per hectare. This has been enhanced to Rs.1,25,000/- per hectare. In these circumstances, the claimant is permitted to withdraw 50% of the amount deposited on filing undertaking that in case the appeal is allowed, the amount withdrawn shall be repaid with interest at such rate the Court may direct. The remaining amount is permitted to be withdrawn on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial).

Civil application is allowed and disposed of.

JUDGE

/MULEY/