

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

Civil Application [CAF] No.1037 of 2016

in

First Appeal No.810 of 2015

(The Executive Engineer, Lower Wardha Canal Division, V.I.D.C., Wardha

vs.

Vithabai Kisana Zade, through L.Rs. and others)

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

Court's or Judge's Orders

Shri S.U. Nemade, Advocate for applicant/respondent Nos.1 and 2.
Shri S.S. Godbole, Advocate for the non-applicant/appellant.
Ms. N.P. Mehta, A.G.P. for non-applicant/respondent Nos.3 and 4.

CORAM : A.S. CHANDURKAR, J.

DATE : APRIL 22, 2016.

The prayer is to permit the claimants to withdraw
 the amount of compensation deposited by the appellant.

Perused the award passed by the Reference Court.

Considering the discussion in paragraphs 15 and
 16 of the impugned judgment, the claimants are permitted to
 withdraw an amount of Rs.8,00,000/- on furnishing an
 undertaking that in case the appeal is allowed, the amount
 withdrawn shall be repaid with interest and at such rate the
 Court may direct. The further amount of Rs.5,00,000/- is
 permitted to be withdrawn on furnishing solvent surety/
 security to the satisfaction of the Registrar (Judicial).

The civil application is allowed and disposed of.

JUDGE