

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

CIVIL APPLICATION (F) NO.1057 OF 2016

IN

FIRST APPEAL NO.668 OF 2015

VIDC WARDHA

VS

PISABAI VITTHAL GAWALI AND OTHERS

V.

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

Court's or Judge's orders

Shri Abhijit Parihar, Advocate for the appellant.
Shri S. D. Chopde, Advocate for respondent No.1.
Ms. Nivedita Mehta, Asstt. Govt. Pleader for respondent Nos.2 to 4.

CORAM : A.S. CHANDURKAR, J.

DATED : APRIL 05, 2016.

Prayer is to permit the claimant to withdraw the amount of compensation deposited by the appellant. It is submitted that the Reference Court has relied upon the sale deeds dated 7-3-1998 and 21-12-1998 while enhancing the compensation from Rs.65,081/- to Rs.1,20,000/- per hectare. It is submitted that in First Appeal No.295/2015 this Court has permitted the claimant therein to withdraw the amount of compensation subject to filing an undertaking.

Perused the impugned judgment. In paras 17 to 19 of the impugned judgment reference is made to the sale instances referred to hereinabove.

The claimant is permitted to withdraw the amount of compensation deposited by the appellant subject to filing an undertaking that in case the appeal is allowed, the amount withdrawn shall be repaid with interest at such rate

the Court may direct.

Civil application is allowed and disposed of.

JUDGE

/MULEY/