

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

CIVIL APPLICATION (F) NO.1060 OF 2016
IN
FIRST APPEAL NO.542 OF 2015

EXECUTIVE ENGINEER LOWER WARDHA PROJECT DIVISION WARDHA
VS
TAIYAB ALI S/O AHMED ALI 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 S. G. Jagtap, Advocate for the appellant.
Shri D. S. Lanbat, Advocate for respondent Nos.1 to 3.
Ms Nivedita Mehta, Asstt. Govt. Pleader for respondent Nos.4 & 5.

CORAM : A.S. CHANDURKAR, J.
DATED : APRIL 01, 2016.

The land owners seek permission to withdraw the amount of compensation deposited by the appellant. In the application it is stated that the marriage of the daughter of the respondent No.3 is to be solemnized. It is further stated that the respondents also require amounts for their medical treatment.

The prayer for withdrawal is opposed by the learned Counsel for the appellant on the ground that the enhancement granted by the Reference Court is on a higher side.

Perused the impugned judgment as well as the finding recorded with regard to existence of trees in Survey No.302.

The respondent Nos.1 to 3 are permitted to withdraw a sum of Rs.15,00,000/-. Each respondent would be entitled to an amount of Rs.5,00,000/-.

The respondent Nos.1 to 3 shall file usual undertaking before withdrawing said amounts.

Application is allowed and disposed of.

JUDGE

/MULEY/