

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

CIVIL APPLICATION NO.1199 OF 2016
IN
FIRST APPEAL NO.912 OF 2013

Executive Engineer, Lower Wardha Project Division, Wardha.

-vs-

Baliram s/o Daulat Shivarkar and ors.

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

Court's or Judge's Orders.

Shri V. G. Palshikar, Advocate for appellant.
Shri D. S. Lambat, Advocate for respondent Nos.1 to 6,
7(a) to (d)/applicants.
Shri H. R. Dhumale, AGP for respondent Nos.8 and 9.

CORAM : A.S.CHANDURKAR, J.

DATE : April 25, 2016

Prayer is to permit the claimants to withdraw the amount of compensation. It is submitted by the learned counsel for the applicants that the enhancement granted by the Reference Court is after considering the entire evidence on record. It is further submitted that the amount is permitted to be withdrawn should be divided equally in five shares.

Perused the judgment of the Reference Court. The claimants are permitted to withdraw a sum of Rs.10 lakhs on filing undertaking that in case the appeal is allowed, the amount withdrawn shall be repaid with interest at such rate the Court may direct.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 amount be distributed amongst the claimants in five equal shares. The respondent Nos.1 to 3 shall receive one share each. The respondent Nos.4, 5, 6 shall receive one share and 7(a) to (d) shall receive one share. Rest of the amount be invested in Fixed Deposit.

Civil application is allowed in aforesaid terms and disposed of.

JUDGE