

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

CIVIL APPLICATION (CAF) NO.1764 OF 2013
IN
FIRST APPEAL NO.657 OF 2013

V.I.D.C. thr. Executive Engineer, Lower Wardha Canal Division, Wardha
-vs-
Mahadeo Tukaramji Bokade 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 S. S. Godbole, Advocate for applicant/appellant.
Shri C. S. Dhore, Advocate for respondent No.1.
Shri H. R. Dhumale, AGP for respondent No.2.

CORAM : A.S.CHANDURKAR, J.
DATE : April 28, 2016

As the appellant has deposited the amount of compensation as directed vide order dated 12/06/2014, the execution of the impugned award shall remain stayed during pendency of the appeal.

Civil application is allowed and disposed of.

Civil Application (CAF) No.1397 of 2016

The claimant seeks permission to withdraw the amount of compensation deposited by the appellant. The reasons for seeking withdrawal are mentioned in paragraphs 3 and 4 of the application.

Considering the fact that the appellant has deposited 50% of the amount of enhanced compensation, the claimant is permitted to withdraw the amount of Rs.7,50,000/- on filing undertaking that in case the appeal is allowed, the amount withdrawn shall be repaid with interest at such rate the Court may direct. Rest of the amount be invested in Fixed Deposit.

Civil application is allowed and disposed of.

JUDGE