

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAF] No. 1533 of 2016
IN
First Appeal No. 930 of 2014
[Vidarbha Irrigation Development Corporation Vs. Vasudeo Devidas Chafle & others]

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

Court's or Judge's orders

Mr. S.D. Chopde, Adv., for the applicant – respondent no.1.
 Mr. Bhoyar, Adv., for the appellant.
 Mr. Kadu, AGP for respondent nos. 2 and 3.

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CORAM : R.K. DESHPANDE, J.

DATE : 29th April, 2016

Heard the learned counsels appearing for the parties.

The enhancement in the rate of compensation is from Rs.47,500/- per hectare to Rs. 2,00,000/- per hectare. Paras 18 and 24 of the decision of the Reference Court contain this discussion. The enhancement seems to be based on the sale-deeds in respect of the lands having proximity to the location as well as the dates of sale.

Shri Chopde, the learned counsel for the respondent no.1 - claimant, states that the appellant has deposited fifty per cent of the amount of total compensation awarded by the Reference Court, whereas Shri Bhoyar, the learned counsel for the appellant, submits that it is the entire amount.

The applicant - claimant is, therefore, permitted to withdraw fifty per cent of the amount deposited by the appellant upon furnishing a usual undertaking, and the balance fifty per cent, upon furnishing a solvent surety, both to the satisfaction of the Registrar [Judicial] of this Court, with a further undertaking that in the event if the appeal succeeds, the entire amount shall be refunded with interest at the rate of six per per annum.

Civil Application stands disposed of.

Judge

[hedau]