

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

CIVIL APPLICATION (CAF) NO.3086 OF 2016

IN

FIRST APPEAL NO.799 OF 2015

(VIDARBHA IRRIGATION DEVELOPMENT CORPN..VS..YASHWANT PANDURANG DHEKALE & 2 OTH)

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

Court's or Judge's orders

 Shri S.K.Bhoyar, Advocate for Appellant.
 Shri S.D.Chopde, Advocate for Respondent No.1.
 Ms S.Z.Haider, A.G.P. for Respondent Nos.2 & 3.

CORAM : Z.A.HAQ, J.

DATED : SEPTEMBER 30, 2016.

The learned advocate for the claimant has submitted that in the appeal filed by the appellant challenging the award passed in case of another land owner whose land is also acquired for the same project, this Court has permitted the claimant to withdraw Rs.12,00,000/- out of the amount of Rs.16,40,000/- on furnishing undertaking, thus, permitting the claimant to withdraw about 70% of the amount. In that case, the compensation is determined @ Rs.2,00,000/- per hectare.

In the present case, 9.66 hectare land of the respondent No.1-claimant is acquired and the compensation is determined @ Rs.2,50,000/- per hectare.

Considering the facts of the present case, the respondent No.1-claimant is permitted to withdraw 50% of the amount deposited by the appellant with the Registry of this Court, unconditionally.

The balance amount be continued in fixed deposit in the nationalized bank till disposal of the appeal.

The civil application is allowed in the above terms.

JUDGE

RRaut..

CERTIFICATE

I certify that this order uploaded is a true and correct copy of original signed order.

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