

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

Civil Application [CAO] No.1766 of 2016
in
Civil Application [CAF] No.1920 of 2015
in
First Appeal Stamp No.9842 of 2015

(Vidarbha Irrigation Development Corporation, through its Executive Engineer
vs.
Vijay s/o Balkrushan Khadse and others)

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

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Court's or Judge's Orders

Shri V.G. Wankhede, Advocate for the Applicant.
Shri S.D. Chopde, Advocate for Non-Applicant No.1.
Shri K.R. Lule, A.G.P. for Non-Applicant Nos.2 and 3.

CORAM : S.B. SHUKRE, J.
DATE : 25th NOVEMBER, 2016.

Heard.

Two weeks' time by way of last chance is granted
to the appellant for depositing the additional costs of
Rs.5,000/-.

The application is allowed and disposed of
accordingly.

Civil Application [CAO] No.1880 of 2016 :

Heard the learned Counsel for non-applicant No.1
and the learned A.G.P. for non-applicant Nos.2 and 3.

Having considered the grounds of appeal and also
the impugned judgment passed by the learned Reference
Court, I am of the view that the amount deposited in this

Court can be allowed to withdraw conditionally.

The application is, therefore, allowed. Permission is granted to non-applicant No.1 to withdraw the amount deposited in this Court subject to the condition that for the 50% of the amount, a solvent surety to the satisfaction of the Registrar (Judicial) shall be furnished and for the remaining amount, an undertaking shall be furnished to the effect that in the event of any adverse order being passed against non-applicant No.1, he shall refund the amount of compensation within four weeks from the date of that order. The surety and undertaking shall be furnished within two weeks from the date of this order.

The application is disposed of.

*sdw

JUDGE