

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

Civil Application [CAF] No.3381 of 2016
in
First Appeal No.727 of 2015

(The Executive Engineer, Lower Wardha Project Division [V.I.D.C.], Wardha

vs.

Smt. Gopibai Vitthaldas Bhattad [dead], through L.Rs. 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 Tushar Darda, Advocate for the Applicant/R-1A to R-1G
Shri S.S. Godbole, Advocate for the Appellant.
Shri N.R. Rode, A.G.P. for Respondent Nos.2 and 3.*

CORAM : S.B. SHUKRE, J.
DATE : 30th NOVEMBER, 2016.

Heard.

Prayer is to permit the claimants to withdraw the
amount of compensation.

The prayer is opposed by the learned Counsel for the
appellant on the ground that enhancement granted by the
Reference Court is on a higher side.

Perused the judgment of the Reference Court.

Considering the sale instances relied upon by the
Reference Court, the claimants are permitted to withdraw 50%
of the amount deposited on filing usual undertaking. Remaining
50% amount is permitted to be withdrawn on furnishing solvent
surety/security to the satisfaction of the Registrar (Judicial).

The civil application is disposed of accordingly.