

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAF] No. 92 of 2017
IN
First Appeal No. 1067 of 2013
[VIDC through Executive Engineer Vs. Pandharinath Shamrao Ajmire
& others]

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

Court's or Judge's orders

Mr. A.B. Nakshane, Adv., for applicant-respondent no.1.
 Mr. A.B. Patil, Adv., for appellant.
 Mrs. Prabhu, AGP for respondent nos. 2 and 3.

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CORAM : A. S. CHANDURKAR, J.

DATE : 31st January, 2017

The claimant seeks permission to further withdraw the amount of compensation. It is submitted that by order dated 15th October, 2015, the claimant was permitted to withdraw fifty per cent of the amount of compensation. According to the applicant, in First Appeal No. 672 of 2015, the Corporation had accepted the rate of Rs. 750-00 per square meter for the acquired land in certain matters to be the amount of fair compensation. It is, therefore, submitted that further twenty-five per cent of the amount of compensation be permitted to be withdrawn.

Learned counsel for the appellant opposed the aforesaid request.

Considering the order passed in First Appeal No. 672 of 2015 dated 22nd August, 2016, the applicant - claimant is permitted to withdraw a sum of Rs.1,11,000-00 [rupees one lakh eleven thousand only] on filing an undertaking that in case the appeal is allowed, said amount would be repaid with interest at such rate the Court may direct.

Civil Application is disposed of.

First Appeal No. 1067 of 2013 :

Paper book be filed within a period of eight weeks from today.

Judge

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