

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGP4R
Civil Application [CAF] No. 164 of 2017
IN
First Appeal No. 1118 of 2016
[Vidarbha Irrigation Devpt. Corporation Vs. Himmant Narayan Tarate & 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.V. Ingole, Adv., for the applicant – respondent no. 1.
 Mr. J. B. Kasat, Adv., for the appellant.
 Mr. Kadu, AGP for respondent nos. 2 and 3.

CORAM : A. S. CHANDURKAR, J.

DATE : 24th January, 2017

By this application, the applicant seeks permission to withdraw the amount of compensation deposited by the appellant.

Perused the impugned judgment. Considering the nature of evidence on record, the claimant is permitted to withdraw fifty per cent of the amount of compensation on filing an undertaking that in case the appeal is allowed, the said amount shall be repaid with

interest at such rate the Court may direct. Further fifty per cent of the amount of compensation is permitted to be withdrawn on furnishing a solvent surety to the satisfaction of the Registrar [Judicial].

Civil Application is disposed of.

Civil Appln. No. 3386 of 2016 :

As the appellant has deposited the entire amount of compensation, the execution of the impugned award shall remain stayed during the pendency of the appeal.

Civil Application is disposed of.

Judge