

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

FIRST APPEAL NO. 1 OF 2017

(The Executive Engineer, Lower Wardha Project Division, Wardha ..vs.. Devidas Manikrao Mangam
and others)

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 the appellant,
Shri C.R. Najbale, Advocate for the respondent No.1,
Smt. Mrunal S. Naik, A.G.P. for the respondent Nos.2 and 3.

CORAM : Z.A. HAQ, J.
DATED : 20-01-2017

Stand over to 17-03-2017.

Civil Application No. 220/2017.

Heard.

The learned Advocates for the respective parties submit that in First Appeal No. 409/2016 which arises out of the same award, this Court has permitted the claimants to withdraw 75% of the amount deposited by the appellant/Corporation.

Accepting the submission made by the learned Advocates, the claimant is permitted to withdraw 75% of the amount deposited by the appellant/Corporation on furnishing undertaking by the claimant before the learned Registrar (Judicial) of this Court stating that in

case this Court concludes that the claimant is not entitled for the amount withdrawn by him, he will redeposit it with interest as may be determined by this Court, within two months from the date of order.

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

The civil application is allowed accordingly.

JUDGE

adgokar