

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

C.A.F. No. 2038/2016 IN FIRST APPEAL ST. No. 175/2016

V.I.D.C. THROUGH ITS EXE. ENGINEER, BEMBLA PROJECT DIVISION, DISTT. YAVATMAL -vs-
ARUN HARIBHAU BOBADE AND OTHERS.

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

Court's or Judge's Orders.

Shri J.B. Kasat, counsel for appellant.
Shri A.B. Nakshane, counsel for respondent no.1.
Shri A.R. Chutke, AGP for respondent nos.2 and 3.

CORAM : DR S.S.PHANSALKAR-JOSHI, J.
DATE : JUNE 14, 2017

For the reasons stated in the application, the applicant being the acquiring body, and hence its presence being necessary. The application is allowed and leave is granted to file the appeal.

FIRST APPEAL ST. No. 175/2016.

Heard learned counsel for the appellant, learned counsel for the respondent no.1 and learned Assistant Government Pleader for the respondent nos.2 and 3.

ADMIT.

Call for Record and Proceedings.

The appellant to file private paper book within a period of 6 months from the receipt of Record and Proceedings.

C.A.F. No. 385/2017.

In view of the order passed by this Court on 22/12/2016, ad-interim stay was granted to the execution of the impugned judgment and award subject to condition of appellant of depositing decretal amount within 12 weeks.

It is submitted by the learned counsel for the appellant that the decretal amount is deposited in the court on 03/05/2017.

In view thereof, earlier order of ad-interim stay is confirmed till the decision of the appeal.

The application is accordingly disposed of.

C.A.F. No. 2184/2017.

This application is preferred by the original claimant i.e. respondent no.1 seeking withdrawal of the amount of compensation which is totally to the tune of Rs.5,74,652/-. Subject to condition of furnishing usual undertaking that the entire amount of compensation will be returned with interest if the decision goes against him, the applicant/respondent no.1 is permitted to withdraw 75% of the decretal amount.

The application is disposed of accordingly.

JUDGE