

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

CIVIL APPLICATION (CAF) NO.3080 OF 2015
IN
FIRST APPEAL (ST) NO.16613 OF 2015

The Executive Engineer, Minor Irrigation Division, V.I.D.C. Washim

-vs-

Gulabrao Dattarao Deshmukh and Ors.

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

Court's or Judge's Orders.

Shri S. G. Jagtap. Advocate for appellant/applicant.
Smt A. S. Athaley, , Advocate for respondent Nos.1 & 2.
Smt M. S. Naik, AGP for respondent Nos.3 and 4.

CORAM : A.S.CHANDURKAR, J.

DATE : February 09, 2017

Accepting the reasons mentioned in the application, the
delay in filing the first appeal stands condoned.

Civil application is allowed and disposed of.

F.A.St. No.16613 of 2015

Heard.

Admit. Call for record and proceedings.

Smt. A. S. Athalye, learned counsel waives notice on behalf
of respondent Nos.1 and 2. Smt M. S. Naik, learned Learned
Assistant Government Pleader waives notice on behalf of
respondent Nos.3 and 4. Appellant to file paper-book within
period of six months from today.

Civil Application (CAO) No.150 of 2017

The claimants seek permission to withdraw the amount of
compensation deposited by the appellant.

Perused the impugned judgment. In the facts of the case,

the claimants are permitted to withdraw amount of Rs.2,50,000/- on filing undertaking that in case the appeal is allowed, said amount shall be repaid with interest at such rate the Court may direct. The remaining amount is permitted to be withdrawn on furnishing solvent surety/security to the satisfaction of Registrar (Judicial).

Civil application is disposed of.

JUDGE