

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.F. NO. 1886/2017 IN FIRST APPEAL ST. NO. 25581/2016
 (EXECUTIVE ENGINEER, PURNA MEDIUM PROJECT DIVN. ACHALPUR **VERSUS** ABHIJEET
 DIWAKARRAO POHOKAR & OTHERS)

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

Court's or Judge's orders

 Shri J.B. Kasat, counsel for the applicants/appellants.
 Shri R.J. Shinde, counsel for the NA-Claimants.
 Ms H.N. Jaipurkar, A.G.P. for the R-State.

CORAM : S.B. SHUKRE, J.

DATE : OCTOBER 04, 2017.

Heard.

For the reasons stated in the application, the application is allowed. Delay is condoned. The appeal be registered.

The civil application stands disposed of.

F.A. ST. NO.25581/2016.

Heard.

ADMIT.

Call for Record & Proceedings.

Learned counsel Shri R.J. Shinde waives notice of final hearing on behalf of respondents-claimants.

Learned Assistant Government Pleader Ms H.N. Jaipurkar waives notice of final hearing on behalf of the respondent-State.

C.A.F. NO.1887/2017.

Heard.

The appeal is admitted. Entire decretal amount has been deposited. Therefore, this application is allowed and it is directed that there shall be stay to the effect and operation of the impugned award till final disposal of the appeal.

C.A.F. NO.3856/2017.

Heard.

Prayer is to permit the claimants/non-applicants to withdraw the amount of enhanced compensation. It is submitted that in similar matter, this Court has permitted the claimants therein to withdraw 50% of the amount on furnishing undertaking and remaining 50% amount subject to furnishing solvent surety.

The fact of similar permission being granted is not contested by the learned counsel for the applicant.

Hence, non-applicants/claimants are permitted to withdraw 50% of the amount of enhanced compensation, subject to furnishing usual undertaking.

Remaining 50% amount is permitted to be withdrawn, subject to furnishing solvent surety to the satisfaction of Registrar (Judicial).

The application stands disposed of accordingly.

JUDGE

APTE