

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

CAF No. 2362 of 2017 In FA (St) No. 25595/2016

Applicant : The EE

versus

Respondents : Narendra and ors

Shri J. B. Kasat, Advocate for applicant

Shri R. J. Shinde, Advocate for respondents no. 1 & 2

Coram : S. B. Shukre, J

Dated : 13th October 2017

P.C.

CAF No. 2362 of 2017 : Heard For the reasons stated in the application, delay caused in filing the appeal is condoned. Disposed of. Appeal be registered.

FA (St) No. 25595/2016 : Heard. Admit. Call for Record and Proceedings. Shri R. J. Shinde, learned counsel waives notice for respondents no. 1 and 2 and Ms Prabhu, learned Assistant Government Pleader waives notice for respondents no.3 and 4.

CAF No. 2363 of 2017 : Appeal is admitted. Since the entire decretal amount has been deposited in this Court, there shall be stay to the impugned judgment and decree pending final disposal of the appeal. Disposed of.

CAF No. 4085 of 2017 : Heard. Prayer is to permit the claimants/respondents no. 1 and 2 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 of furnishing undertaking and remaining 50% amount subject to furnishing solvent surety.

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

Hence, respondents no. 1 and 2/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 Remaining 50% amount is permitted to be withdrawn subject to their furnishing solvent surety to the satisfaction of Registrar (Judicial), within ten weeks. Disposed of.

JUDGE

joshi