

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAO] No. 200 of 2017
IN
Civil Application [CAF] No. 465 of 2016
IN
First Appeal St. No. 24821 of 2015
[Executive Engineer, Lowr Wardha Project Division Wardha Vs.
Ukandrao Panjabrao Bhangde & others]

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

Court's or Judge's orders

Mr. S. K. Bhoyar, Adv., for the appellant.
 Ms. Vidya Umale, Adv., for respondent nos. 1,2 and 4.
 Mr, Ekre, AGP for respondent nos. 5 and 6.

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CORAM : A. S. CHANDURKAR, J.

DATE : 10th February, 2017

Heard.

Notice on the application is made returnable
forthwith.

Ms. Umale, learned counsel, appears on behalf of
legal heirs of respondent no.3 and Shri Ekre, learned
AGP, for respondent nos. 5 and 6.

Considering the reasons mentioned in the
application, the same is allowed. The legal heirs of
respondent no.3 are permitted to be brought on record.
Amendment be carried out within a period of one week

from today.

Civil Application is disposed of.

Civil Appln. No. 465 of 2016 :

Prayer is to condone the delay in filing the First Appeal.

The application is opposed by the learned counsel appearing for the claimants. However, accepting the reasons mentioned in the application, the delay in filing the First Appeal stands condoned.

Civil Application is allowed and disposed of.

First Appeal St. No. 24821 of 2015 :

Heard.

Admit. Call for Record & Proceedings.

Ms. Umale, learned Counsel, waives notice on behalf of respondent nos. 1 to 4, and Shri Ekre, learned AGP, for respondent nos. 5 and 6.

Paper-book be filed within a period of six months

from today.

Civil Appln. No. 3904 of 2016 :

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

Perused the impugned judgment.

Considering the nature of evidence on record, the claimants are permitted to withdraw an amount of Rs.7,00,000-00 [rupees seven lakhs only] on filing an 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 The remaining amount is permitted to be withdrawn on furnishing solvent surety to the satisfaction of the Registrar [Judl.].

Civil Application is disposed of.

Judge