

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAF] No. 782 of 2017
IN
First Appeal No.1056 of 2016
[Executive Engineer, Minor Irrigation Department, Man Project
Division, Khamgaon Vs. Mathurabai Bhimrao Pachpor & another]

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

Court's or Judge's orders

Mr. R.P. Masurkar, Adv., for applicant- respondent no.1.
 Mr. Abhijit Parihar, Adv., for the appellant.
 Mr. Kadu, AGP for respondent nos.2 and 3.

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CORAM : A. S. CHANDURKAR, J.

DATE : 24th February, 2017

The claimant seeks permission to withdraw the amount of compensation deposited by the appellant.

The application is opposed by the learned counsel for the appellant on the ground that the enhancement in the amount of compensation is without sufficient evidence.

Perused the impugned judgment. Considering the nature of evidence on record, the claimant is permitted to withdraw fifty per cent of the amount of compensation 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. Further fifty per cent amount is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the Registrar [Judicial].

Civil Application is disposed of.

Judge

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