

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

First Appeal No.120/2017

Executive Engineer, Minor Irrigation Project (Lahan Patbandhare) Division, District
Wardha

Vs.

Sau.Shakuntala w/o Ganeshrao Gade & ors.

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

Court's or Judge's Orders.

Shri B.N.Raipurkar, Advocate for appellant.
Shri S.D.Chopde, Adv for Respondent
no.1 / applicant.
Mrs. Mrunal Naik, AGP for respondents no.2 to 4.

CORAM : A.S.CHANDURKAR, J.

DATE : February 22, 2017

CAF No.793/2017

Claimant seeks permission to withdraw the amount deposited by the appellant. The application is opposed by learned counsel for the appellant on the ground that enhancement is granted by the reference Court for the land as well as for the trees is on the higher side.

Perused the judgment of the reference Court. Considering the nature of evidence on record, the claimant is permitted to withdraw the amount of Rs. Fifteen lakhs on filing undertaking that in case the appeal is allowed, the said amount shall be repaid with interest at such rate the Court may direct. Further amount of Rs. Fifteen lakhs is permitted to be withdrawn

on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial). Rest of the amount be invested in Fixed Deposit.

Civil Application is disposed of.

JUDGE

Andurkar.