

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

FIRST APPEAL NO.488 OF 2012

(Maharashtra Industrial Development Corporation, Amravati thr. its Regional Officer
Vs. Dilip Hiralal Shah and others)

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

Court's or Judge's orders.

Shri M.M. Agnihotri, Advocate for Appellant.
Shri M.A. Kadu, AGP for Respondent No.3.

CORAM: SMT. DR. SHALINI PHANSALKAR-JOSHI, J.

DATE: 6th JUNE, 2017.

Civil Application (F) No.1642/2016:

This application is filed by the respondent-claimant seeking remitting of the amount of compensation deposited in this Court to the Reference Court. The second prayer made in the application is of permitting the respondent Nos.1 and 2 to withdraw the compensation amount on usual terms and remaining 50% to be withdrawn by furnishing security to the satisfaction of the Reference Court.

The learned counsel for the appellant has no objection to allow both the prayers.

Accordingly the application is allowed. The amount of compensation deposited in this Court is directed to be transferred or remitted to the Reference Court. On remittance of such amount, the respondent Nos.1 and 2 are permitted to withdraw 50% of the amount of

compensation on usual terms and on undertaking, that in case the decision goes against the claimant-respondent they will deposit the entire amount with interest. The respondent Nos.1 and 2 are further permitted to withdraw the remaining 50% of the amount of compensation by furnishing security to the satisfaction of the Reference Court again on the condition that in case the decision goes against the respondent they will repay the entire amount with interest.

The application is disposed of accordingly.

JUDGE