

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

CIVIL APPLICATION (CAF) NO.853 OF 2017
IN
FIRST APPEAL NO.666 OF 2016

Executive Engineer, Bembla Project Division, Yavatmal, Dist. Yavatmal

-vs-

Eknath Babarao Patil and ors.

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

Court's or Judge's Orders.

Shri P. B. Patil, Advocate for appellant.

Shri A. B. Nakshane, Advocate for respondent Nos.1A to
1D and 2/applicants.

Ms M. S. Naik, AGP for respondent Nos.3 and 4.

CORAM : A.S.CHANDURKAR, J.

DATE : February 28, 2017

The claimants seek permission to withdraw the amount of compensation deposited by the appellant. It is submitted that the appellant has accepted the rate of compensation for the acquired land at Rs.750/- per sq. meter in acquisition proceedings from the same village.

As the Reference Court has awarded compensation at the rate of Rs.900/- per sq. meter, the claimants are permitted to withdraw 75% of the amount deposited subject to each of them filing an undertaking that in case the appeal is allowed, said amount shall be repaid with interest at such rate the Court may direct. Respondent Nos.1A to 1D are permitted to withdraw half of the amount and other half is permitted to be withdrawn by respondent No.2. The remaining amount shall be invested in Fixed Deposit.

Civil application is allowed and disposed of.

JUDGE