

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

First Appeal No.1057/2016

Executive Engineer, Mumm Project KhamgaonVs.Sheikh Azam Sheikh Shaukat and another.

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

Court's or Judge's orders.

Shri A.Parihar, Advocate for appellant.

Shri R.P.Masurkar, Advocate for R.No.1/applicant.

Mr. A.D.Sonak, AGP for respondent no.2.

CORAM : N.W.SAMBRE, J.**DATE : APRIL 07, 2017****CAF No. 1756/2017**

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 50% of the amount of compensation subject to filing an undertaking that in case the appeal is allowed, the claimant shall redeposit the said amount with interest at such rate the Court may direct. Remaining 50% amount is permitted to be withdrawn on furnishing solvent surety/security to the

satisfaction of the Registrar(Judicial).

Civil Application is disposed of.

JUDGE

Andurkar..