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

**CIVIL APPLICATION (F) NO.1252 OF 2017
IN
FIRST APPEAL NO. 954 OF 2016**

Executive Engineer, (V.I.D.C)
Purna Medium Project Division,
Achalpur, Dist. Amravati. ..APPELLANT

VERSUS

Digambar s/o Kisanrao Wasankar,
Aged about 71 years, Occ : Agri.,
R/o. Bramhanwada Thadi,
Tq. Chandur Bazar, Dist. Amravati
& ors ..RESPONDENTS

Mr V.G. Palshikar, Advocate for appellant;
Mr R.J. Shinde, Advocate for respondent No.1;
Mrs Kalyani Deshpande, A.G.P. for respondent Nos. 2
and 3

CORAM : N.W. SAMBRE, J.

DATE : 4th APRIL MARCH, 2017

ORAL ORDER :

Mr. Shinde, learned Counsel for respondent No.1-claimant prays for withdrawal of the amount deposited by the appellant in this Court. He would submit that that in similar matters, this Court has permitted the claimants therein to withdraw 50% of the amount on furnishing undertaking and remaining

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amount subject to furnishing solvent surety.

2. In view of above submissions, respondent No.1-claimant is permitted to withdraw 50% of the amount of compensation on filing usual undertaking. Balance amount of compensation is permitted to be withdrawn on furnishing solvent surety to the satisfaction of the Registrar (Judicial) of this Court.

3. Civil Application stands disposed of accordingly.

(N.W. SAMBRE, J.)

Tupe