

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

CIVIL APPLICATION (CAF) NO.1721 OF 2015
IN
FIRST APPEAL NO.195 OF 2016

Executive Engineer, Dept. of Irrigation Works, Nagpur

-vs-

Narendra s/o Gulabrao Shelke and anr.

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

Court's or Judge's Orders.

Shri A. Parihar Advocate for appellant.
Shri S. N. Bhattad, Advocate for respondent No.1
Shri M. M. Ekre, AGP for respondent No.2.

CORAM : A.S.CHANDURKAR, J.

DATE : March 17, 2017

As the applicant has deposited entire amount of compensation in this Court, the execution of the impugned award shall remain stayed during pendency of the appeal. Civil application is disposed of.

C.A.F. No.1292 of 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 compensation granted is on a higher side.

Considering the nature of evidence on record, the claimant is permitted to withdraw an amount of Rs.Five lakhs on filing an undertaking that in case the appeal is allowed, said amount shall be repaid with interest at such rate the Court may direct. Further amount of Rs. Five lakhs is permitted to be withdrawn on furnishing surety/security to the satisfaction of the Registrar (Judicial). Remaining amount shall be invested in Fixed Deposit. Civil application is disposed of.

JUDGE