

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

CIVIL APPLICATION (CAF) NO.2893 OF 2016
IN
FIRST APPEAL NO.1151 OF 2016

Executive Engineer, VIDC, Yavatmal Project Construction Division, Yavatmal

-vs-

Nandkishor Sheshrao Thakre 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 V. G. Palshikar, Advocate for appellant.
Shri S. V. Ingole, Advocate for respondent No.1.
Ms M. S. Naik, AGP for respondent Nos.2 and 3.

CORAM : A.S.CHANDURKAR, J.
DATE : March 24, 2017

As the appellant has deposited the entire amount of enhanced 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.1424 of 2017

Prayer is to permit the claimant to withdraw the amount of compensation. It is submitted that in proceedings arising out of the same award, this Court has in F.A.No.902/2016 permitted the claimant therein to withdraw 50% of the amount of compensation on filing undertaking and remaining 50% of the amount of compensation on furnishing surety/security.

In view of aforesaid claimant is permitted to withdraw 50% of the amount of compensation on filing undertaking that in case the appeal is allowed, said

amount shall be repaid with interest at such rate the Court may direct. Remaining 50% amount of compensation is permitted to be withdrawn on furnishing surety/security to the satisfaction of the Registrar (Judicial).

Civil application is disposed of.

JUDGE