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

**CIVIL APPLICATION (F) NO.1433 OF 2017
IN
FIRST APPEAL NO. 789 OF 2016**

Vidarbha Irrigation Development
Corporation

..APPELLANT

VERSUS

Shri Sitaram S. Rathod & ors

..RESPONDENTS

Mr S.G. Jagtap, Advocate for appellant;
Mr Amol Darekar, Advocate for respondent No.1;
Mrs M.S. Naik, A.G.P. for respondent Nos. 2 and 3

CORAM : N.W. SAMBRE, J.

DATE : 29th MARCH, 2017

ORAL ORDER :

Having heard respective Counsel, the application for withdrawal of amount, in my opinion, needs to be allowed on following terms :

The claimant – land owner is permitted to withdraw the amount to the extent of 75% of the amount deposited by furnishing undertaking that in case the appeal is allowed, said amount shall be repaid with interest at such rate the Court may direct and remaining amount to the extent of 25% is

(2)

permitted to withdraw upon furnishing solvent surety to the satisfaction of the Registrar (Judicial).

2. Civil Application stands allowed in above terms and disposed of.

(N.W. SAMBRE, J.)

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