

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

CIVIL APPLICATION NO.1712 OF 2017
IN
FIRST APPEAL ST.NO.18101 OF 2013

Vidarbha Irrigation Development
Corporation through its Executive
Engineer, Lower Wardha project,
Division Wardha, Dist. Wardha

..Applicant

Versus

Shaukat Ali Syed Abdulla (Dead),
through L.Rs. Ashaf Ali Shaukat Ali
and ors.

..Respondents

Mr Anoop Parihar, Advocate for applicant-acquiring body
Mr V.N. Patre, Advocate for respondents no.1 to 7
Mr M.A. Kadu, A.G.P. for respondents no.8 and 9

CORAM : N.W. SAMBRE, J.
DATE : 13th April 2017

PER COURT

1. Prayer is to permit the claimants/respondents no.1 to 7 to withdraw the amount of compensation deposited by the appellant.
2. Perused the impugned judgment, in which reference has been made to sale instance dated 7.3.1998. In view of aforesaid, the claimants/respondents no.1 to 7 are permitted to withdraw 50% of the amount of compensation deposited on filing an undertaking that in case the appeal is allowed, the said amount shall be repaid with interest at such rate the Court may direct.
3. Remaining 50% amount is permitted to be withdrawn on furnishing solvent surety to the satisfaction of the Registrar (Judicial).
4. Civil Application stands allowed accordingly.

(N.W. SAMBRE, J.)