

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

CIVIL APPLICATION NO.1768 OF 2017
IN
FIRST APPEAL NO.79 OF 2017

Vidarbha Irrigation Development
Corporation, through Executive
Engineer, Medium Project Division,
Yavatmal, District Yavatmal

..Applicant

Versus

Dipak s/o Shriram Tarte and ors.

..Respondents

Mr Vinay Dahat, Advocate for applicant
Mr D.G. Patil, Advocate for respondent no.1
Mrs M.S. Naik, A.G.P. for respondents no.2 and 3

CORAM : N.W. SAMBRE, J.

DATE : 13th April 2017

PER COURT

1. By this application, the respondent no.1-claimant seeks permission to withdraw the amount of compensation deposited by the appellant.
2. Perused the impugned judgment. Considering the nature of evidence on record, the claimant is permitted to withdraw 50% of the amount of compensation 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. Further 50% of the amount of compensation is permitted to be withdrawn on furnishing a solvent surety to the satisfaction of the Registrar (Judicial).
3. Civil Application stands disposed of.

(N.W. SAMBRE, J.)