

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.F. NO.2416/2017 IN F.A. ST. NO.299/2008 (D)
 (C.G.M., W.C.L., NAGPUR **VERSUS** DHANRAJ GOVINDRAO FARKADE & OTHERS)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri C.S. Samudra, counsel for the applicant.
 Shri S.P. Kshirsagar, counsel for the NA-1.
 Mrs. Harshada Prabhu, A.G.P. for the NA-2 & 3.

CORAM : S.B. SHUKRE, J.
DATE : OCTOBER 04, 2017.

Heard.

This Court has partly allowed appeal bearing First Appeal No.299 of 2008 filed by the applicant-appellant, thereby reducing the amount of compensation payable to the respondent no.1. Now, this application has been filed for granting permission to the appellant to withdraw that amount, which is in excess of the amount granted by this Court by its judgment passed on 05.05.2016 in First Appeal No.299 of 2008.

After having gone through the judgment dated 05.05.2016, I find that there is no difficulty in granting the prayer made in this application and accordingly, the application is allowed. The applicant-appellant is permitted to withdraw that amount, which is in excess of the amount granted by this Court as per the judgment dated 05.05.2016 in First Appeal No.299 of 2008 and this amount, as per the calculations made by learned counsel for the appellant comes to Rs.36,00,211/-, about which Shri S.P. Kshirsagar, learned counsel for the respondent no.1-claimant has no objection. Rest of the amount lying in deposit with the Court be paid to

the respondent no.1-claimant. This amount comes to Rs.19,24,080/- along with accrued interest, if any.

The application stands disposed of.

JUDGE

APTE