

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

CIVIL APPLICATION (CAF) NO.1976 OF 2017
IN
FIRST APPEAL NO.168 OF 2017

Executive Engineer, Lower Wardha Project Dvn. VIDC, Wardha.

-vs-

Purushottam s/o Bhagwantrao Shende 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 S. K. Bhoyar, Advocate for appellant.
Shri S. D. Chopde, Advocate for respondent No.1/applicant.
Shri A. D. Sonak, AGP for respondent Nos.2 and 3.

CORAM : A.S.CHANDURKAR, J.

DATE : May 02, 2017

The claimant seeks permission to withdraw the amount of compensation.

The application is opposed by the learned counsel for the appellant on the ground that the Reference Court has awarded compensation in excess of that which was prayed for.

Perused the impugned judgment. In the facts of the case, the claimant is permitted to withdraw an amount of Rs.7,50,000/- on filing an undertaking that in case the appeal is allowed, said amount shall be repaid with interest at such rate the Court may direct. Further amount of Rs.7,50,000/- is permitted to be withdrawn on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial). Remaining amount shall be invested in Fixed Deposit. Civil application is allowed and disposed of.

JUDGE