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

**CIVIL APPLICATION NO. 1979 OF 2017
IN
FIRST APPEAL NO. 266 OF 2017**

Executive Engineer
Lower Wardha Project Division,
Wardha ..APPELLANT

VERSUS

Deorao Phoktuji Tirpude & ors ..RESPONDENTS

Mr Anoop Parihar, Advocate for appellant;
Mr C.R. Najbile, Advocate for respondent No.1;
Mrs M.S. Naik, A.G.P. for respondent Nos. 2 & 3

CORAM : N.W. SAMBRE, J.

DATE : 3rd MAY, 2017

ORAL ORDER :

Heard. The claimant seeks permission to withdraw the amount of compensation deposited by the appellant.

2. Perused the impugned award.

3. The claimant is permitted to withdraw 50% of the amount deposited on filing undertaking that in case the appeal is allowed, the amount withdrawn

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shall be refunded with interest at such rate the Court may direct.

4. The remaining amount be permitted to be withdrawn subject to furnishing solvent surety/security to the satisfaction of the Registrar (Judicial).

5. The application is allowed and disposed of.

(N.W. SAMBRE, J.)

Tupe