

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

CIVIL APPLICATION NO.574 OF 2017
IN
CIVIL APPLICATION NO.1773 OF 2017
IN
FIRST APPEAL ST.NO.16270 OF 2016

Executive Engineer,
Lower Wardha Project,
Wardha

..Appellant

Versus

Mahadeo Marotrao Raut
and ors.

..Respondents

Mr Anoop Parihar, Advocate for appellant
Mr C.R. Najbile and Mrs Shruti Najbile, Advocates for respondent no.1
Mr M.A. Kadu, A.G.P. for respondents no.2 and 3

CORAM : N.W. SAMBRE, J.

DATE : 26th April 2017

PER COURT

Heard.

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

3. Perused the impugned award.

4. The claimant is permitted to withdraw 50% of the amount deposited on filing undertaking that in case the appeal is allowed, the amount withdrawn shall be refunded with interest at such rate the Court may direct.

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 The remaining amount be permitted to be withdrawn subject to furnishing solvent surety/security to the satisfaction of the Registrar (Judicial).

6. Civil Application is allowed in above terms.

(N.W. SAMBRE, J.)

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