

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

CIVIL APPLICATION (CAF) NO.2007 OF 2016
IN
FIRST APPEAL ST. NO.176 OF 2016

VIDC Thr. Its Executive Engineer, Bembla Project Dvn. Dist. Yavatmal

-VS-

Dnyaneshwar Govinda Khope 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 J. B. Kasat, Advocate for appellant.
Shri A. B. Nakshane, Advocate for respondent Nos.1 to 3.
Ms M. Deshmukh, AGP for respondent Nos.4 and 5.

CORAM : A.S.CHANDURKAR, J.

DATE : May 02, 2017

For the reasons stated in the application, the same is allowed.
Leave is granted to file the present appeal.

Civil application is allowed and disposed of.

F.A.St. No.176 of 2016

Heard. **Admit.** Call for record and proceedings.

Shri A. B. Nakshane, learned counsel waives notice on behalf of
respondent Nos.1 to 3 and Learned Assistant Government Pleader
waives notice on behalf of respondent Nos.4 and 5.

Appellant to file paper-book within six months from today.

C.A.F. No.174 of 2017

As the appellant has deposited the entire amount of
compensation in this Court, the *ad interim* stay granted earlier shall
operate as interim stay during pendency of the appeal.

Civil application is disposed of.

C.A.F. No.2115 of 2017

Prayer is to permit the claimants to withdraw the amount of

compensation deposited by the appellant.

Perused the impugned judgment. In the facts of the case, claimants are permitted to withdraw 75% of the amount deposited by the appellant on filing undertaking that in case the appeal is allowed, said amount shall be repaid with interest at such rate the Court may direct. Remaining amount shall be invested in Fixed Deposit. Civil application is disposed of.

JUDGE