

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAF] No.1014 of 2017
IN
First Appeal St. No.9875 of 2014
[Superintending Engineer, Lowr Wardha Project, VIDC Vs. Vinayak Domaji Ingle & others]

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

Court's or Judge's orders

Mr. S.S. Godbole, adv., for the applicant.
Mr. S.D. Chopde, Adv., for respondent no.1.
Mr. Kadu, AGP for respondent nos. 2 to 4.

- - - -

CORAM : A. S. CHANDURKAR, J.

DATE : 01st March, 2017

Considering reasons mentioned in the application
and as the prayer is not opposed by learned counsel for
the claimant, delay in filing the appeal stands condoned.

Civil Application is allowed and disposed of.

-0-0-0-

First Appeal St. No. 9875 of 2014 :

Heard.

Admit. Call for Record & Proceedings.

Shri S.D. Chopde, learned counsel, waives notice
on behalf of respondent no.1, and Shri Kadu, learned
Asstt. Govt. Pleader for respondent no.2 to 4.

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

-0-0-0-

Civil Appln. No. 1015 of 2014 :

As the entire amount of compensation has been deposited in this Court, the execution of the impugned Award shall remain stayed during pendency of the appeal.

Civil Application is disposed of.

-0-0-0-

Civil Appln. No. 2064 of 2016 :

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

Perused the impugned judgment.

Considering the nature of evidence on record, the claimant is permitted to withdraw amount of Rs.10,00,000-00 [rupees ten lakhs only] on filing an undertaking that in case the appeal is allowed, the said amount shall be repaid with interest at such rate the Court may direct. Further amount of Rs. 10,00,000-00 is permitted to be withdrawn on furnishing solvent surety to the satisfaction of the Registrar [Judicial}. Remaining

3

amount shall be invested in a Fixed Deposit.

Civil Application is disposed of.

Judge

||hedau||