

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

FIRST APPEAL NO.596 OF 2014

(V.I.D.C. thr. Executive Engineer, Minor Irrigation Division, Wardha Vs. Narayan
Ganpati Sangale and others)

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

Court's or Judge's orders.

Shri P.B. Patil, Advocate for Appellant.
Shri M.A. Kadu, AGP for Respondent No.2.

CORAM: SMT. DR. SHALINI PHANSALKAR-JOSHI, J.

DATE: 6th JUNE, 2017.

Civil Application (F) No.2159/2017:

This application is filed by respondent No.1-claimant for withdrawal of the entire amount of compensation deposited by the appellant in this Court.

Learned counsel for the appellant submits that as the Reference Court has enhanced the amount three times to the original amount of compensation as awarded by the S.L.A.O., respondent should not be permitted to withdraw the entire amount. In the alternate it is submitted that if the respondent is permitted to withdraw the entire amount then it should be subject to furnishing solvent surety.

The respondent No.1 is permitted to withdraw the entire amount of compensation subject to condition that for 50% amount of compensation, respondent No.1 shall furnish solvent surety to the satisfaction of the Registrar

(Judicial) of this Court and subject to filing of undertaking, that in case the decision goes against the respondent the entire amount will be repaid with interest thereon.

The application is disposed of accordingly.

JUDGE

NSN