

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

CIVIL APPLICATION (CAF) NO.2499 OF 2017
IN
FIRST APPEAL NO.979 OF 2016

(Vidarbha Irrigation Development Corporation Vs. Joharimal Kesrimal Sisodia 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. A. B. Nakshane, Advocate for Respondent No.1
Shri. M. A. Kadu, AGP for Respondent No. 2 & 3.

CORAM: SMT. DR. SHALINI PHANSALKAR-JOSHI, J.
DATE: 21st JUNE, 2017.

This is an application for withdrawal of amount of compensation as deposited in the Court. The application is filed by respondent No.1. It is pointed out by learned counsel for respondent No.1 that in the identical matter in CAF No. 2306 of 2016 in First Appeal No. 672 of 2015 by the order dated 22.8.2016, the applicant was permitted to withdraw 75% of the decretal amount subject to condition of filing usual undertaking.

In view thereof, for the reasons stated in para – 3 and 4 of the application and considering the requirement of the applicant, the applicant is permitted to withdraw 75% of the decretal amount subject to furnishing usual undertaking that he will return the entire amount with interest, if the decision of appeal goes against him.

The application is disposed of.

JUDGE