

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

C.A.F. No. 721/2017 IN FIRST APPEAL ST. No. 18379/2016

(V.I.D.C. THROUGH ITS EXE. ENGINEER, YAVATMAL MEDIUM PROJECT DIVISION, DISTT.
YAVATMAL -Vs- RAJU DEVRAO RATHOD AND OTHERS)

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

Court's or Judge's Orders.

Shri Vinay Dahat, counsel for applicant.
Shri N.B. Bargat, counsel for respondent no.1.
Shri A.R. Chutake, AGP for respondent nos.2 and 3.

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

DATE : JULY 26, 2017.

Learned counsel for appellant submits that the delay was condoned by this court subject to payment of costs of Rs.1,000/- to respondent no.1. It is submitted that accordingly he has received the intimation that costs have been paid to respondent no.1 and he has received the same.

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In view of the above statement, appeal is heard at the stage of admission.

ADMIT.

Call for R and P.

Appellant to file private paper book within six months after receipt of R and P.

Learned counsel Shri N.B. Bargat waives service of notice on respondent no.1, whereas learned AGP waives service of notice on respondent nos.2 and 3.

C.A.F. No. 722/2017.

As the entire amount of compensation is deposited in the court, order of stay is made absolute till decision of appeal.

Application stands disposed of.

C.A.O. No. 2546/2017.

This is an application for withdrawal of the amount of compensation deposited in the court. Application is made by original claimant-respondent no.1.

It is pointed out by learned counsel for appellant that the SLAO has granted compensation at the rate of Rs.50,000/- per hector, whereas the reference court has enhanced it at the rate of Rs.2,17,500/- per hector.

In view thereof, respondent no.1 is permitted to withdraw 50% of the amount on usual undertaking and 20% of the amount on furnishing solvent surety/security to the satisfaction of Registrar (Judicial).

Application is disposed of.

JUDGE

Yenurkar