

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY:**  
**NAGPUR BENCH : NAGPUR**  
**Civil Application [CAF] No.2492 of 2016**  
**IN**  
**First Appeal St. No. 302 of 2016**  
**[State of Mah. & another Vs. Dilipkumar Karnuji Khobragade & another]**

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

**Court's or Judge's orders**

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Mr. I.N. Choudhari, Adv., for applicant-respondent no.1.  
 Mr. Kadu, AGP for appellants.  
 Ms. V. Khadekar, Adv., for respondent no.2.

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**CORAM : A. S. CHANDURKAR, J.**

**DATE : 10<sup>th</sup> January, 2017**

The applicant seeks permission to withdraw amount of compensation deposited by the appellants pursuant to order dated 3<sup>rd</sup> March, 2015. It is submitted on behalf of the applicant that in identical matters, the claimants therein have been permitted to withdraw the amount of compensation by filing necessary undertaking.

The application is opposed by the learned counsel for the respondent no.2.

Considering the fact that the appellants have deposited fifty per cent of the total amount of compensation, the applicant is permitted to withdraw the same on filing an Undertaking that in case the appeal is allowed, the amount shall be re-deposited in this Court along with interest at such rate the Court may direct.

Civil Application is disposed of.

**Judge**

[hedau]