

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

CIVIL APPLICATION (CAF) NO.2841 OF 2016  
IN  
FIRST APPEAL NO.740 OF 2016

The Executive Engineer, Lower Wardha Project Division, Wardha

-vs-

Narendra Janakrao Kasar and ors.

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

Court's or Judge's Orders.

Shri V. G. Palshikar, Advocate for appellant.  
Shri N. R. Saboo, Advocate for respondent Nos.1 to 3.  
Shri M. M. Ekre, AGP for respondent Nos.4 and 5.

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

**DATE : January 13, 2017**

Prayer is to permit the claimants to withdraw the amount of compensation deposited by the appellant. The request for withdrawal is opposed by the learned counsel for the appellant on the ground that enhancement granted is on a higher side.

Perused the order dated 13/10/2015 passed in C.A. No.2127/2015 in F.A. St. No.3760/2014 which proceedings arise from the same award. After perusing judgment of the Reference Court, the following order is passed :

The claimants are permitted to withdraw an amount of Rs.35,00,000/- (Rupees thirty five lakhs) on furnishing usual undertaking. Further amount of Rs.35,00,000/-(Rupees thirty five lakhs) is permitted to be withdrawn on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial). The remaining amount shall be invested in Fixed Deposit.

Civil application is disposed of in aforesaid terms.

**JUDGE**