

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

CIVIL APPLICATION [CAF] NO.3476 OF 2017
IN
FIRST APPEAL NO.1077 OF 2016

(The Executive Engineer, Nagpur Medium Project, V.I.D.C., Nagpur
vs.
Chandrabhan Vithoba Gajbhiye & others)

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

Court's or Judge's Orders

Shri C.R. Najbile, Advocate for Applicant/Respondent Nos.1 & 2.
Ms. A.M. Gupta, Adv. h/f Shri P.B. Patil, Adv. for the Appellant.
Ms. H.N. Jaipurkar, A.G.P for Respondent Nos.3 & 4.

CORAM : KUM. INDIRA JAIN, J.
DATE : 24th AUGUST, 2017.

The claimants seek permission to withdraw the amount of compensation. The prayer is opposed by the learned Counsel for the appellant.

Perused the impugned judgment. Considering the nature of evidence on record, the applicants-claimants are permitted to withdraw 50% amount subject to filing an undertaking that in case the appeal is allowed, the claimants shall redeposit the amount within interest at such rate the Court may direct. Remaining 50% amount is permitted to be withdrawn on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial).

The application is allowed and disposed of.

JUDGE