

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

CIVIL APPLICATION NO.3994 OF 2017 IN FIRST APPEAL NO.502 OF 2017

(Executive Engineer, Khadakpurna Project vs. Madhav Kisan Wagh, since deceased,
through legal heirs and others)

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

Shri B.N. Palve, Advocate for applicants.

Shri S.K. Bhoyar, Advocate for appellant.

Ms. T. Udeshi, Assistant Government Pleader for
respondent nos.3 and 4.

CORAM : P.N. DESHMUKH, J.

DATED : OCTOBER 13, 2017

This application is moved by applicants for
withdrawal of decretal amount deposited by appellant.

The applicants are original respondent nos.1
and 2 in the appeal and their land was acquired on
1/1/1998. They were paid less compensation by Land
Acquisition Officer and as such, they preferred reference
under Section 18 of Land Acquisition Act, 1894. Same
was decided, against which appellant preferred First
Appeal No. 502/2017 wherein initially stay was granted
on depositing entire decretal amount by appellant and
the said first appeal is finally disposed of as dismissed.

Pending appeal, appellant has deposited
entire decretal amount as per directions of this Court to
the extent of Rs.7,70,963/-. In view of dismissal of
appeal as aforesaid, application is allowed. The
applicants are allowed to withdraw amount of

Rs.7,70,963/- along with accrued interest, if any, on the said amount.

Registry to act.

The civil application is disposed of.

JUDGE

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