

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAF] No. 3970 of 2016
IN
First Appeal No.1219 of 2016
[Executive Engineer, Nimna Wardha Kalwa Prkalp, Wardha Vs.
Smt. Vasundhara Narendra Boke & two others]

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

Court's or Judge's orders

Mr. B. N. Jaipurkar, Adv., for the applicant.
 Mr. S.D. Chopde, Adv., for respondent no.1.
 Mrs. Prabhu, AGP for respondent nos. 2 and 3.

CORAM : A. S. CHANDURKAR, J.

DATE : 23rd March, 2017

On the applicant depositing the entire amount of compensation granted by the Reference Court in this Court within a period of twelve weeks from today, the execution of the impugned Award shall remain stayed during pendency of the appeal.

Civil Application is disposed of.

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Civil Application No. 1428 of 2017 :

The claimant seeks permission to withdraw the amount of compensation.

The application is opposed by the learned counsel for the appellant on the ground that the Reference Court has awarded compensation in excess of that which was prayed for.

Perused the impugned judgment.

In the facts of the case, the claimant is permitted to withdraw fifty per cent of the amount of compensation on filing an undertaking that in case the appeal is allowed, said amount shall be repaid with interest at such rate the Court may direct. Further fifty per cent of the amount of compensation is permitted to be withdrawn on furnishing solvent surety to the satisfaction of the Registrar [Judicial].

Civil Application is disposed of.

Judge