

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

CIVIL APPLICATION NO.4156 OF 2017
IN FIRST APPEAL NO.1267 OF 2017

(Executive Engineer, Medium Irrigation Project Division vs. Shantabai Damadu Jadhao 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 V.D. Darne, Advocate for applicants/respondent nos.1 to 4.

Shri J.B. Kasat, Advocate for appellant.

Shri K.R. Luley, Assistant Government Pleader for respondent nos.5 and 6.

CORAM : P.N. DESHMUKH, J.

DATED : NOVEMBER 21, 2017

This application is filed by respondent nos.1 to 4 for grant of permission to withdraw entire decretal amount of Rs.56,37,582/- deposited by appellant with the Registry of this Court contending that applicants are in need of said amount for purchase of house property, educational purpose and for medical treatment of respondent no.1.

It appears that Land Acquisition Officer granted compensation at the rate of Rs.53,200/- per hectare as against claim of Rs.4 lakhs per hectare for agricultural land along with orange trees.

For the grounds mentioned in para 4 of the application, application is liable to be allowed by permitting applicants to withdraw 75% of the amount of Rs.56,37,582/-. 50% of the said amount shall be

allowed to be withdrawn on furnishing surety and balance 50% of the said amount shall be withdrawn on furnishing usual undertaking before Registrar (Judicial) of this Court. 25% of the amount of Rs.56,37,582/- shall be deposited in fixed deposit in any nationalised Bank initially for a period of two years.

The civil application is disposed of in the above terms.

JUDGE

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