

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

CIVIL APPLICATION (CAF) NO.1127 OF 2016  
IN  
FIRST APPEAL ST. NO.23799 OF 2015

VIDC Thr. its Executive Engineer, Minor Irrigation Division, Chandrapur

-vs-

Motiram Shravan Tamgadge and anr.

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

Court's or Judge's Orders.

Shri J. B. Kasat, Advocate for applicant/appellant.  
Shri A. P. Thakare, Advocate for respondent No.1.  
Shri M. M. Ekre, AGP for respondent No.2.

**CORAM : A.S.CHANDURKAR, J.**  
**DATE : February 23, 2017**

Considering averments made in the application, the same is allowed in terms of its prayer. Civil application is disposed of.

**C.A.F. No.2542 of 2016**

Though the prayer for condoning delay is opposed by the learned counsel appearing for the claimants, considering reasons mentioned in the application, the delay stands condoned.

Civil application is allowed and disposed of.

**F.A.St. No.23799 of 2015**

Heard. **Admit.**

Call for record and proceedings.

Shri A. P. Thakare, learned counsel waives notice on behalf of respondent No1. Learned Assistant Government Pleader waives notice for respondent No.2.

Appellant to file paper-book within period of six months from today.

**C.A.O. No.109 of 2017**

The claimant seeks permission to withdraw the amount of

compensation deposited by the appellant in this Court.

Perused the impugned award. The claimant is permitted to withdraw 50% of the amount of compensation on filing undertaking that in case the appeal is allowed, said amount shall be repaid with interest at such rate the Court may direct. Remaining 50% amount of compensation is permitted to be withdrawn on furnishing surety/security to the satisfaction of the Registrar (Judicial).

Civil application is disposed of.

**JUDGE**