

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAF] No. 3998 of 2016
IN
First Appeal No.1296 of 2013
[Executive Engineer (VIDC) Medium Project Division, Nagpur Vs.
Mahadeo Vitthalrao Shirsat (dead) through L.Rs. & others]

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

Court's or Judge's orders

Ms. Varsha Vasu, Adv., for applicants – respondent no. 1 (a and b)
and respondent no.2.
Mr. V.G. Palshikar, Adv., for the appellant.
Mrs. Kulkarni, AGP for respondent nos. 3 to 5.

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CORAM : A. S. CHANDURKAR, J.

DATE : 24th February, 2017

The claimants seek 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 claimants are permitted to withdraw amount of Rs.5,00,000-00 [rupees

five lakhs only] 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 Further amount of Rs.5,00,000-00 [rupees five lakhs only] is permitted to be withdrawn on furnishing solvent surety to the satisfaction of the Registrar [Judicial]. Rest of the amount shall be invested in a Fixed Deposit.

Judge

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