

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAF] No. 1234 of 2017
IN
First Appeal No.221 of 2017
[The Executive Engineer, Lower Division Project, Wardha Vs. Nalini
Uttamrao Kapse & others]

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

Court's or Judge's orders

Mr. J. R. Kidilay, Adv., for the Applicant – respondent no.1.
 Mr. S.K. Bhoyar, Adv., for the appellant.
 Mr. Ekre, AGP for respondent nos. 2 and 3.

CORAM : A. S. CHANDURKAR, J.

DATE : 15th March, 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 deposited by the appellant 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 Further fifty per cent of the amount of compensation is permitted to be withdrawn on furnishing solvent surety to the satisfaction of the Registrar [Judicial].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

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