

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

CAF No. 291 of 2018
in
First Appeal No.465/2014 (Decided)
(V.I.D.C. through its Executive Engineer .vs. Randhir Vishwasrao Shirpurkar
and others.)

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

Ms. R.V. Kukday, Advocate for Respondent No.1.
Mrs. M.H. Deshmukh, AGP for Respondent Nos. 2 & 3.

CORAM : Manish Pitale, J.
DATED : February 07, 2018.

This is an application for permission to withdraw the amount of compensation deposited by the appellant in this Court. Pursuant to order dated 28.10.2013, the appellant had deposited 50% of the amount of compensation awarded by the Reference Court in the impugned judgment and order. Thereafter, by order dated 24.04.2015, the respondent no.1-claimant was permitted to withdraw Rs.2,00,000/- from the said amount deposited by the appellant in this Court subject to filing of an undertaking.

Thereafter on 07.03.2017, an order was passed by this Court directing that if the appellant fails to file paper book within a period of four months from the date of the order, the appeal would stand dismissed without reference to the Court. The appellant has failed to file paper book in the matter and consequently the appeal stood dismissed, as noted in the office report dated 8.8.2017. Today none has appeared on behalf of

the appellant.

Hence the application is allowed and the respondent no.1-Claimant is permitted to withdraw the balance amount lying in this Court unconditionally.

JUDGE

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