

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

FIRST APPEAL NO.63/2018

Vidarbha Irrigation Development Corporation, through Executive Engineer,
Nagpur Irrigation Division (South), Nagpur

..Vs..

Dilip Damodar Vithoba Chandekar dead through Lrs. Sanjay Damodar
Chandekar and others

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

Court's or Judge's orders

Shri V.G. Palshikar, Advocate for the appellant.

CORAM : Z.A. HAQ, J.

DATE : 28.2.2018.

Heard.

ADMIT.

Call records and proceedings.

Ms. Rajkumari Rai, Advocate waives notice
for respondent Nos.1 to 7.

Ms. Geeta Tiwari, A.G.P. waives notice for
respondent No.8.

The appellant to file paper book within six
months.

C.A.F. NO.3911/2017

After going through the impugned award and
examining the considerations which weighed with the
Reference Court while determining the amount of
compensation, in my view, the respondents / claimants
can be permitted to withdraw the amount deposited by
the appellants, however, on conditions as per this order.

The respondents be given 50% of the amount,

alongwith interest on it, if any, unconditionally.

The balance 50% of the amount with interest on it, if any, be given to the respondents on submission of undertaking to the satisfaction of Registrar (J.) of this Court to the effect that in case this appeal is allowed and it is held that the respondents are not entitled for the entire amount withdrawn by them, the respondents will deposit the amount with interest on it as would be determined by this Court within two months from the date of judgment.

The undertaking shall be furnished by all the respondents.

Civil application is **disposed** in the above terms. No costs.

JUDGE

Tambaskar.