

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

CIVIL APPLICATION NO.2587/2018 IN FIRST APPEAL NO.318/2018 (D)

Executive Engineer, Amravati Irrigation Division, Amravati .vs. Gokuldas
Jagannathrao Wagh and Ors.

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

Court's or Judge's orders.

Mr. V. Dahat, Advocate for applicant.

Mr. S. S. Shingne, Advocate for non applicant no.1.

CORAM : V.M. DESHPANDE, J.

DATED : OCTOBER 1, 2018

1. This Court (Coram: Z. A. Haq, J.) on 06.03.2018 disposed of the appeal filed by the Vidarbha Irrigation Development Corporation, thereby maintaining the claim of non applicant no.1-Gokuldas Wagh in respect of survey no.68, determining the amount of compensation of Rs.1,50,000/- per hectare along with statutory benefits. So also, the award passed by the learned reference Court was modified in respect of survey no.41/16 and it was also held that non applicant no.1 will be entitled to compensation at the rate of Rs.1,48,000/- per hectare along with statutory benefits.

2. Pursuant to the order passed by this Court, applicant had deposited an amount of Rs.18,87,317/- along with interest in this Court. After the judgment, Mr. Shingle, learned counsel for non applicant no.1 agrees with submission of the learned counsel for the

applicant that non applicant no.1 is entitled to receive an amount of Rs.18,68,985/- and not Rs.18,87,317/-, as deposited by the appellant. Hence, I pass the following order.

ORDER

(i) Non applicant no.1-Gokuldas Jagannathrao Wagh is entitled to receive Rs.18,68,985/- along with interest accrued thereon from and amount of the amount deposited by the applicant before this Court.

(ii) Appellant-V.I.D.C. will be entitled to withdraw the amount of Rs.18,332/- which is deposited in excess along with interest accrued thereon.

The application is disposed of accordingly.

JUDGE