

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.F. NO. 251/2019 IN FIRST APPEAL NO. 169/2017

(M.S.P.G.C.L., NAGPUR **VERSUS** BAKARAM KARU KAREMORE (DEAD) THR. LR's KANTIRAM
 BAKARAM KAREMORE & OTHERS)

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

Court's or Judge's orders

Shri N.G. Moharir, counsel for applicant.
 Shri M.R. Pillai, counsel for R-1(ii) & 1(iii).
 Mrs. H.N. Prabhu, A.G.P. for R-2.

CORAM : A.S. CHANDURKAR, J.

DATE : FEBRUARY 22, 2019.

The claimants seek permission to withdraw the amount of compensation as deposited.

The prayer is opposed by the learned counsel for the appellant on the ground that the enhancement is on a higher side.

Perused the impugned judgment. Considering the nature of evidence on record, the claimants are permitted to withdraw 50% of the amount of compensation as deposited. Out of that 50% amount, the present applicants are permitted to withdraw 2/3rd amount. 1/3rd amount thereof can be granted to respondent no.1(i) as and when he applies for such withdrawal. The present applicants shall file an undertaking in this Court that in case the appeal is allowed the amount withdrawn will be re-deposited alongwith interest at such rate the Court may direct. Remaining amount shall remain invested in Fixed Deposit.

Civil application stands disposed of.

JUDGE