

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

**CIVIL APPLICATION (CAF) NO.658/2019 IN FIRST APPEAL NO.955/2016**

**The Executive Engineer, Khadakpurna Project Division, Deulgaon-Raja, Dist. Buldana**

**...Versus...**

**Ramrao Balaji Deshmukh since deceased, through his Legal Heirs**

**Mankarna Ramrao Deshmukh and others**

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

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Ms Vidya Umale, Counsel for respondent nos.1 to 4/ applicants  
Mrs. Hemlata Jaipurkar, AGP for respondent no.5  
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**CORAM : ARUN D. UPADHYE, J.**

**DATE : 22/03/2019**

Heard.

Perused the application as well as the impugned judgment and award.

Considering the judgment and award under challenge, I am of the view that the applicants could be permitted to withdraw 50% of the amount of compensation upon furnishing usual undertaking.

Hence, the applicants are permitted to withdraw 50% of the amount of compensation, deposited by the appellant in this Court, upon furnishing usual undertaking to the effect that they will refund the amount with interest in case the first appeal is allowed.

The civil application is allowed and disposed of accordingly. No order as to costs.

**JUDGE**