

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

C.A.F. NO. 712/2019 IN FIRST APPEAL NO. 216/2019

(EXE.ENGR. MEDIUM PROJECT, NAGPUR VERSUS HEMRAJ SHIVRAM DESHMUKH & 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.M. Gaidhane, counsel for appellant.
 Shri C.R. Najbile, counsel for R-1 to 8/applicants.
 Mrs. M. Naik, A.G.P. for R-9 & 10.

CORAM : A.S. CHANDURKAR, J.

DATE : FEBRUARY 18, 2019.

Prayer is to permit the claimants to withdraw the amount of compensation.

It is submitted that the enhancement granted for the Orange trees is at the rate of Rs.5,500/- per tree. In connected appeals, 80% of the amount of compensation has been permitted to be withdrawn. Moreover, there is no enhancement granted for the value of the land.

In that view of the matter and taking a prima-facie view, the claimants are permitted to withdraw 80% of the amount of compensation as deposited. The claimants shall file an undertaking in this Court within a period of eight weeks that in case the appeal is allowed, the amount withdrawn will be re-deposited alongwith interest at such rate the Court may direct.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