

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

CIVIL APPLICATION (CAF) NO.1912 OF 2015
IN
FIRST APPEAL ST.NO.3897 OF 2015

Executive Engineer, Lower Wardha Project Division, Wardha

-vs-

Shatabdibai wd/o Motiram @ Motilal Purohit and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri U. A. Gosavi, Advocate for appellant.

Shri U. L. Chhangani, Advocate for respondent Nos.1(a to
(c)/Cross-objectors.

Ms H. N. Prabhu, AGP for respondent Nos.2 and 3.

CORAM : A.S.CHANDURKAR, J.

DATE : February 12, 2019

As the first appeal has been admitted on 19/09/2018 the delay in filing the appeal impliedly stands condoned. Hence the Civil Application is disposed of.

Cross-Objection No.24 of 2019

Heard.

Admit.

Shri U. A. Gosavi, learned counsel waives notice on behalf of the original appellant. Ms H. N. Prabhu, learned Assistant Government Pleader waives notice for respondent Nos.2 and 3.

Civil Application (CAO) No.335 of 2019

Prayer is to withdraw the amount of compensation deposited by the appellant.

Perused the impugned judgment and heard the

learned counsel.

Considering the nature of evidence on record, the claimants are permitted to withdraw 50% of the amount of compensation as deposited subject to filing an undertaking that in case the appeal is allowed, said amount shall be repaid with interest at such rate the Court may direct. The remaining amount shall be invested in Fixed Deposit.

Civil application is allowed and disposed of.

JUDGE