

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

CIVIL APPLICATION (F) No.2659 OF 2019

IN

FIRST APPEAL No.817 OF 2019

Executive Engineer, Lower Wardha Project Wardha

VS.

Amar Sharadrao Kale and others

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

Court's or Judge's

Shri. J. J. Chandurkar, counsel for applicant/appellant.
Shri.C.R.Najbile, counsel for respondents No.1 & 2.

CORAM : Manish Pitale J

DATED : 25.09.2019

This is an application filed on behalf of the respondents No.1 & 2 (original claimant) seeking permission to withdraw the amount of compensation deposited by the appellant.

2. It is pointed out that in a similar case arising out of the same acquisition proceeding, this Court granted permission to the claimants to withdraw 75% of the amount, 50% amount on filing usual undertaking and 25% on solvent surety.

3. In view of the above, the instant application is also partly allowed, and the

respondents No.1 & 2 are permitted to withdraw 75% of the amount deposited by the appellant in the Reference Court, 50% on filing usual undertaking and balance 25% on furnishing solvent surety to the satisfaction of the Reference Court. The balance amount of 25% lying in the Reference Court shall be invested in a fixed deposit in a Nationalized Bank, during the pendency of the present appeal.

4. Application disposed of.

JUDGE

KOLHE