

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

CIVIL APPLICATION (CAO) NO. 1516 OF 2019
IN
CIVIL APPLICATION (CAF) NO. 817 OF 2019
IN
FIRST APPEAL ST. NO. 1515 OF 2019

V.I.D.C., thr. Its Executive Engineer and anr.
 ..VS..
 Gulam Hussain Abdu Hussain and ors.

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

Court's or Judge's orders

Shri Vinay Dahat, Adv. h/f Shri J.B. Kasat, Adv. For appellants.
 Shri R.J. Shinde, Adv. For respondent no.1.
 Mrs. M.A. Barabde, A.G.P. for respondent nos. 2 and 3.

CORAM : VINAY JOSHI, J.
DATED : 13th NOVEMBER, 2019

CIVIL APPLICATION (CAO) NO. 1516 OF 2019

This is an application for withdrawal of the compensation amount which has been deposited by the appellant in pursuant to the order passed by this Court on 16.01.2019. The applicant/respondent no. 1 submitted that, this Court in similar project of same village in Civil application No. 1365 of 2017 in First Appeal (St.) No. 20661 of 2016 has permitted to withdraw the entire amount with usual undertaking and surety. The appellant has no objection to permit withdrawal in terms of above said order.

2. Being the facts similar, the respondent no. 1 is permitted to withdraw 50 percent of the amount of compensation subject to furnishing usual undertaking and remaining 50 percent amount is permitted to be

withdrawn subject to furnishing solvent surety to the satisfaction of the Registrar (Judicial) as well as the Reference Court.

3. The Civil Application stands disposed of.

FIRST APPEAL ST. NO. 27909 OF 2018

Heard.

2. **Admit.**

3. Learned Advocate Shri R.J. Shinde waives notice for respondent no. 1 and learned A.G.P. Mrs. M.A. Barabde, waives notice for respondent nos. 2 and 3.

JUDGE

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