

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

C.A.F.NO. 3481/2019 IN F.A.NO. 385/2017.

Executive Engineer, Purna Medium Project Division, Achalpur.

-VERSUS-

Shankar Belaji Khadake and others.

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

Court's or Judge's Orders

Shri S.S. Godbole, Advocate for the Appellant.
Shri R.J. Shinde, Advocate for Respondent No.1.
Shri K.L. Dharmadhikari, AGP for Respondent Nos.2 & 3.

CORAM : VINAY JOSHI, J.

DATE : 25.11.2019.

Heard.

2. In pursuance of the award, the appellant has deposited total compensation of Rs. 23,78,553/-. This Court vide order dated 13.07.2017, has permitted to withdraw 75% of the amount so deposited, and accordingly it was withdrawn.

3. The applicant/respondent no.1 needs further amount due to financial crunches. The learned counsel for the applicant has produced a copy of order passed in Civil Application No. 3638/2019 in F.A.No.

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1462/2019 dated 06.11.2019, relating to same project, wherein 100% withdrawal was permitted. Considering said aspect and taking into account the financial need of the applicant, he is permitted to withdraw the balance amount on the condition that he should furnish solvent surety to that extent to the satisfaction of the Registrar (Judicial). Civil Application is accordingly allowed and disposed of. No costs.

JUDGE

Rgd.