

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

CIVIL APPLICATION (F) No.3848 OF 2019
IN
FIRST APPEAL No. 626 OF 2019

VIDC, thr. Executive Engineer, Minor Irrigation Division Washim
Vs.
Gajanan s/o Deorao Tathod and others

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

Court's or Judge's

Shri. H. D. Marathe, counsel for appellant.
Shri. Amol Darekar, counsel for respondent No.1.
Mrs. M.S. Naik, AGP for respondent No.2 & 3

CORAM : MANISH PITALE, J.

DATED : OCTOBER 16, 2019

By this application respondent No.1 (original land owner - claimant), is seeking permission to withdraw the amount of compensation deposited by the appellant in this Court.

2. Looking to the reasons stated in the application, as well as the grounds raised on behalf of the appellant in the appeal, this Court deems it fit, in the interest of justice to allow this application conditionally.

3. Accordingly, the application is allowed and the respondent No.1 is permitted to

withdraw the amount deposited in this Court, 75% by filing usual undertaking before the learned Registrar (Judicial) and 25% by furnishing solvent surety / security to the satisfaction of the learned Registrar (Judicial), within a period of **8 weeks** from today.

4. Application is disposed of.

JUDGE

KOLHE