

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

CIVIL APPLICATION [F] NO. 3901/2019
IN FIRST APPEAL NO. 428/2019.

V.I.D.C.

-VERSUS-

Anil Murlidhar Mukkawar 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 M.A. Kadu, Advocate for the Appellant.
Shri A.B. Nakshane, Advocate for Respondent No.1.
Shri A. Palshikar, A.G.P. for Respondent Nos. 2 to 4.

CORAM : VINAY JOSHI, J.

DATE : 05.11.2019.

Heard.

2. This application is filed on behalf of respondent no.1 for withdrawal of amount of compensation deposited by the appellant – V.I.D.C. in this Court. It is informed that the appellant has already deposited an amount of Rs. 51,70,000/- before the Reference Court, and the same is also withdrawn by respondent no.1. Rest of the amount i.e. Rs.89,57,350/- has been deposited by the appellant before this Court, of which the respondent no.1 is

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seeking withdrawal.

3. Since the amount which was deposited with the Reference Court is already withdrawn, considering the said fact and reasons stated in this application, I find no hurdle in permitting respondent no.1 to withdraw the amount. The learned counsel appearing for respondent no.1 has submitted that in similar case i.e. in First Appeal No.465/2019, arising out of the same notification relating to the same village, this Court in Civil Application No. 3902/2019 moved in said First Appeal, has vide order dated 18.02.2019, permitted withdrawal of the entire amount.

4. In view of above, the present Civil Application is allowed and disposed of. Respondent no.1 is permitted to withdraw 50% of the amount deposited in this Court on furnishing usual undertaking before the Registrar (Judicial) of this Court within a period of four weeks from today.

JUDGE

Rgd.