

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

CIVIL APPLICATION (F) No.1019 OF 2019
IN
FIRST APPEAL (St.) No.22320 OF 2018

Union of India Owning and representing Central Railways, through
General Manager

vs.

The Vidarbha Co-operative Marketing Society Ltd. Amravati and ors.

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

Court's or Judge's

Shri. N. P. Lambat, counsel for appellant.
Shri. A. P. Tathod, counsel for respondent No.1.

CORAM : Manish Pitale J

DATED : 30.09.2019

This is an application seeking condonation
of delay of 232 days in filing the accompanying
appeal.

2. Although the respondent No.1 is opposed,
for the reasons stated in the application, the same is
allowed and delay is condoned.

FIRST APPEAL No. /2019

Heard.

2. **Admit.**

3. Call for R & P.

4. Shri. A. P. Tathod, learned counsel waives
notice on behalf of respondent No.1. Shri.Lonare,

learned AGP waives notice on behalf of respondents No.2 & 3.

CIVIL APPLICATION (O) No.1853 OF 2019

This is an application filed on behalf of respondent No.1 (original claimant) seeking permission to withdraw amount of compensation deposited by the appellant in this Court.

5. Considering the contents of the said application and the nature of grounds raised on behalf of the appellant in the appeal challenging the order of the reference Court, the respondent No.1 is permitted to withdraw 75% of the amount deposited in this Court, in the interest of justice.

6. The application is partly allowed and the respondent No.1 is permitted to withdraw 75% of the amount of compensation deposited in this Court, subject to filing usual undertaking before the Registrar (Judicial) within a period of four weeks. The balance amount shall be invested in a fixed deposit in a Nationalized Bank during the pendency of that appeal.

7. Application disposed of.

JUDGE