

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

CIVIL APPLICATION (CAF) NO. 4142 OF 2019 IN
FIRST APPEAL NO. 1387 OF 2017

Vidarbha Irrigation Development Corporation, thr. Its Executive Engineer .vs. Ramesh
Nagorao Wankhade and ors.

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

Court's or Judge's orders

Mrs. Gokhale, Adv. h/f Shri P.B. Patil, Adv. for appellant.
Shri S.S. Bhalerao, Adv. for respondent nos. 1 to 7.
Shri A. Palshikar, A.G.P. for respondent nos. 8 and 9.

CORAM : VINAY JOSHI, J.
DATED : 26th NOVEMBER, 2019

Heard.

By this application, respondent nos. 1 to 7 are seeking withdrawal of compensation amount. The appellant had deposited the amount of Rs.5,99,325/- (Rupees Five Lakh Ninety-Nine Thousand Three Hundred Twenty Five only) in this Court. It is brought to the notice that, in connecting First Appeal St. No. 3445 of 2017 arising out of same notification, entire amount was allowed to be withdrawn.

It is submitted that, respondent no. 1-Ramesh Wankhade be permitted to withdraw the compensation amount on behalf of the other respondents and for that purpose, a copy of power of attorney is produced on record. It reveals that, power of attorney does not specifically authorize the respondent no. 1-Ramesh Wankhade to withdraw the amount deposited in this

Court. At this juncture, learned Counsel for the applicant undertakes that applicant no. 1-Ramesh Wankhade will file fresh power of attorney to that effect.

In view of that, applicant no. 1-Ramesh Wankhade is permitted to withdraw the entire compensation amount alongwith accrued interest, if any, on furnishing fresh power of attorney and usual undertaking to the satisfaction of Registrar(Judicial). The compliance be made within four weeks from today.

The Civil Application stands disposed accordingly.

JUDGE

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