

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

CIVIL APPLICATION (CAF) NO.4538/2019
IN
FIRST APPEAL NO. 1043/2019

[Executive Engineer, Purna Medium Project, Achalpur Division Vs. Vishnu Govind Shingore & Ors.]

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's
order

Court's or Judge's Order

Mrs. Pranita P. Choube, Advocate for applicant/appellant
Mrs. Prajakta Chaudhary, Advocate h/f Shri Abhay Sambre,
Advocate for the respondent nos. 1 to 5
Shri N. S. Rao, AGP for the respondent nos. 6 and 7

CORAM : M. G. GIRATKAR, J.

DATE : 10/02/2020

Heard Mrs. Pranita Choube, learned Advocate for the applicant/appellant. Looking to the grounds, permission is granted to file private paper book. Office to accept the same.

The application is disposed.

CIVIL APPLICATION (CAF) NO. 4537/2019

Heard Advocate Mrs. Prajakta Chaudhary holding for Shri Abhay Sambre, Advocate for the applicants/respondent nos. 1 to 5 and Shri N.S. Rao, learned AGP for respondent nos. 6 & 7.

It is submitted by Advocate Mrs. Chaudhary that in similar matter i.e. in First Appeal No. 515/2016, this Court has permitted the land owners/respondents to

withdraw 50% amount on furnishing usual undertaking and remaining amount subject to furnishing solvent surety. In the said order the respondent no. 2, power of attorney holder of other respondents, was permitted to withdraw the amount.

Hence, respondent no. 2 being a power of attorney holder of respondent nos. 1, 3 and 4 is permitted to withdraw 50% amount of enhanced compensation on furnishing usual undertaking and remaining 50% amount is permitted to be withdrawn by him subject to furnishing solvent surety to the satisfaction of the Registrar (Judicial).

JUDGE

C.R. Khobragade