

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

Civil Application (CAF) No.650/2021
IN
First Appeal No.681/2019

VI.D.C. through its Executive Engineer, Canal Division Bembla Project & Anr. **Vs.** Bahulabai
Damdu Behare (Dead) thr. L.Rs. & Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Ms. Mallika Babhulkar, Advocate h/f Shri M.A. Kadu, Advocate for the Appellants.
Shri P.M. Pande, Advocate for Respondent Nos.2 and 3.
Ms. T.H. Udeshi, AGP for Respondent Nos.4 and 5.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 10th MARCH, 2021.

The applicants/respondent Nos.2 and 3 have sought withdrawal of the compensation deposited by the Acquiring Body.

2. Having considered the reasons stated in the impugned judgment and the grounds raised in the appeal memo, the application is allowed. The applicants/respondent Nos.2 and 3 are permitted to withdraw 50% of the compensation deposited by the Acquiring Body before this Court, along with proportionate interest accrued thereon subject to an undertaking before the Registrar (Judicial) that the amount will be refunded with interest as specified by the Court, in the event the appellants succeed in the appeal.

3. The civil application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)