

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

Civil Application [CAF] 324 of 2021
in
First Appeal No.77 of 2019

Executive Engineer, Medium Project Division, Yavatmal
 vs.

Charan s/o Amarsingh Chavhan & others

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

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Court's or Judge's Orders

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*Shri S.V. Ingole, Advocate for the Applicant/Respondent No.1.
 Shri A.R. Bhole, Advocate h/f Ms. A.S. Athalye, Advocate for the
 Appellant.
 Ms. T.H. Udeshi, A.G.P. for Respondent Nos.2 & 3.*

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 16th FEBRUARY, 2021.

Original claimants before the Reference Court have filed this application for withdrawal of compensation deposited by the Acquiring Body. Learned Counsel for the claimants has placed on record a copy of the order, dated 23/03/2017 in First Appeal No.1189/2016, which arises from the reference case from the same notification.

Considering the nature of evidence and the grounds raised in the appeal memo and also the order dated 23/03/2017, the claimants are permitted to withdraw 50% of the amount of compensation on filing an undertaking that in case the appeal is allowed, the said amount shall be repaid with interest at such rate the Court may direct. Further 50% of the amount of compensation is permitted to be withdrawn on furnishing a solvent surety to the satisfaction of the Registrar (Judicial). The application stands disposed of.

JUDGE