

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

CIVIL APPLICATION (F) NO.22 OF 2020 IN
FIRST APPEAL STAMP NO. 17115 OF 2019

V.I.D.C. through Executive Engineer, Amravati

Vs.

Ramkrushna s/o Panduji alias Pandurang Katre and others

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

Court's or Judge's orders.

Shri H.D. Marathe, Advocate for appellant.
Shri R.J. Shinde, Advocate for respondent nos.1 and 2.
Shri A.M. Kadukar, A.G.P. for respondent nos.3 and 4.

CORAM : PUSHPA V. GANEDIWALA, J.
DATE : 6th AUGUST, 2021.

Heard.

2. This is an application for condonation of delay in filing the appeal.

3. Perused the application. Considering the reasons mentioned in paras 3, 4 and 5, the delay of 795 days is condoned. Registry to register the appeal.

FIRST APPEAL STAMP NO.17115 OF 2019

1) Heard.

2) **ADMIT.**

- 3) Shri R.J. Shinde, learned counsel waives service of notice on behalf of respondent nos.1 and 2.
- 4) Shri A.M. Kadukar, learned A.G.P. waives service of notice on behalf of respondent nos.3 and 4.
- 5) Call for record and proceedings.

CIVIL APPLICATION (F) NO.651 OF 2021

- 1) By way of this application, respondent nos.1 and 2 are seeking permission to withdraw the amount of enhanced compensation as has been granted by the Reference Court.
- 2) Learned counsel for applicants/respondent nos.1 and 2 submitted that appellant-V.I.D.C. has deposited Rs.20,13,231/- with the Registry of this Court vide cheque No.114320 dated 31.12.2020 drawn on Union Bank of India. He submitted that the applicants are dire need of money and they have no source of income for livelihood. They are cultivator and their land has been acquired compulsorily by the appellant-V.I.D.C. He further submitted that due to pandemic they are suffering financial hardship.
- 3) Considering the reasons stated above, respondent nos.1 and 2 are permitted to withdraw 50% of Rs.12,91,899/- on furnishing usual undertaking to the

satisfaction of Reference Court as well as 50% of Rs.20,13,231/- on furnishing usual undertaking to the satisfaction of Registrar (Judicial) of this Court.

- 4) The application stands disposed of.

JUDGE

Wagh