

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

Civil Application (CAF) No. 1328/2021
IN
First Appeal (FA) No. 839/2018

Executive Engineer, Minor Irrigation Division, Washim
..VS..
Syd Mehemud Syd Mehboob and ors.

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

Court's or Judge's Order

Shri N.A. Waghmare h/f. Shri P.B. Patil, Advocate for the
appellant
Shri A.S. Pande h/f. Shri A.M. Jaltare, Advocate for the
applicants/respondent nos. 1 to 3.
Shri M.A. Kadu, AGP for respondent nos. 4 and 5

CORAM : PUSHPA V. GANEDIWALA, J.

DATED : 12/07/2021

Heard learned Counsel appearing for the
parties.

This Court vide order dated 14.11.2019 had
permitted the applicant (respondent no. 1 herein) to
withdraw 75% amount of compensation i.e. 50% amount
of compensation on usual undertaking and 25% amount
on furnishing solvent surety to the satisfaction of the
Registrar (Judicial) of this Court.

Shri A.S. Pande, learned Counsel for the
applicants/respondent nos. 1 to 3 states that before
withdrawal of the said amount respondent nos. 1 and 3
have expired and their LR's have been brought on record.

Learned Counsel also placed on record Special Power of Attorney executed by LR's of respondent nos. 1 and 3 authorizing respondent no. 2 to withdraw the amount on their behalf.

Considering the submissions of learned Counsel for the applicants/respondent nos. 1 to 3, the application is **allowed**. Respondent no. 2 is permitted to withdraw the amount of compensation with accrued interest on behalf of respondent nos. 1 and 3. Accordingly, the application stands disposed of.

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At the request of learned Counsel for the appellant, the appeal be placed before Lok Adalat to explore the possibility of settlement on 01st August, 2021.

JUDGE