

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

Civil Application [CAF] No.3287 of 2019
in
First Appeal No.77 of 2020

Executive Engineer, Bembla Dam Project Canel Division, Yavatmal
vs.

Keshav Mahadev Onkar & 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

*Mrs. I.P. Khisti, Advocate for the Applicant-Appellant.
 Shri P.M. Pande, Advocate for Respondent No.1.
 Shri M.A. Kadu, A.G.P. for Respondent Nos.2 & 3.*

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 8th FEBRUARY, 2021.

Learned Counsel for the applicant states that the entire amount of compensation has been deposited before the Reference Court.

In view of the said statement, the execution and implementation of the impugned judgment and award is stayed till final disposal of the appeal.

The application stands disposed of.

Civil Application [CAF] No.197/2021 :

Respondent No.1 has filed this application for withdrawal of the compensation deposited by the appellant in compliance with the impugned judgment and award of the Reference Court.

I have perused the application as well as the evidence on record. Considering the reasons stated in the application as well as the grounds raised in the

first appeal, respondent No.1 is permitted to withdraw 75% of the amount of compensation. 50% of the compensation shall be paid without any undertaking and balance 25% of the compensation shall be paid on furnishing usual undertaking before the Registrar (Judicial).

The application stands disposed of.

First Appeal No.77/2020:

Heard.

Admit.

Call for records and proceedings.

Private paper-book to be filed within a period of six months.

Shri P.M. Pande, learned Counsel waives service of notice for respondent No.1 and Shri M.A. Kadu, learned A.G.P. waives for respondent Nos.2 & 3.

JUDGE

**sandesh*