

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

CIVIL APPLICATION (F) NO. 1729 OF 2021
IN FIRST APPEAL NO. 1680 OF 2019

(Vidarbha Irrigation Development Corporation Vs. Bandish s/o Rambhau Pimpure & Ors.)

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

Court's or Judge's orders.

Shri Y.J. Chandurkar, Advocate h/f Shri J.J.
Chandurkar, Advocate for the appellant.
Shri S.V. Ingole, Advocate for respondent No.1.
Ms. Shamsi Haider, A.G.P. for respondent Nos.2 and
3.

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CORAM : PUSHPA V. GANEDIWALA, J.
SEPTEMBER 01, 2021.

Heard.

2] This is an application filed on behalf of
the applicant/ respondent No.1 seeking withdrawal
of the entire decretal amount deposited by the
appellant.

3] It is stated that the appellant has
deposited an amount of Rs.9,36,791/- with the
Registry of this Court vide Pursis St. No. 11715/2019
dated 28/08/2019.

4] I have perused the impugned judgment
and award and the reasons mentioned in the
application.

5] It is stated that respondent No.1/claimant has already withdrawn principal amount towards compensation from the Reference Court.

6] Given the aforesaid submissions, so also considering the amount involved, respondent No.1/claimant is permitted to withdraw 50% of the decretal amount (Rs.9,36,791/-) with interest accrued thereon on furnishing usual undertaking before the Registrar (Judicial).

7] Civil Application stands disposed of.

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8] Admit.

9] Shri S.V. Ingole, learned counsel, waives service of notice for respondent No.1.

10] Ms. Shamsi Haider, learned A.G.P, waives service of notice for respondent Nos.2 and 3.

JUDGE

Sumit