

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

CIVIL APPLICATION (CAF) NO. 107 OF 2021
IN
FIRST APPEAL NO. 1860 OF 2019

Vidarbha Irrigation Development Corporation, thr. its Executive Engineer
..VS..

Komal Ramsing Rathod and ors.

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 no.1/applicant.
Ms. T.H. Udeshi, A.G.P. for respondent nos. 2 and 3.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 21/01/2021

Heard.

2. By this application, the applicant/original claimant has sought to withdraw compensation deposited by the appellant/acquiring body.

3. Considering the reasons stated in the application, the applicant/respondent no.1 is permitted to withdraw 50% amount deposited by the appellant on furnishing undertaking to the satisfaction of the Registrar(Judicial) to the effect that he will refund the amount with interest, in case the appeal is allowed and 25% amount on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial).

4. Civil Application stands disposed of accordingly.

FIRST APPEAL NO. 1860 OF 2019

Heard.

2. **ADMIT.**
3. Learned Counsel Shri R.J. Shinde and learned Assistant Government Pleader Ms. T.H. Udeshi waives notice on behalf of the respective parties.
4. Call for the Records and Proceedings.
5. Paper book to be filed within six months.

JUDGE

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