

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

Civil Application (CAF) No. 34 of 2022
in
First Appeal No. 391 of 2021

Vidharbha Irrigation Development Corporation through its Executive
Engineer, Amravati and another

Versus

Sau. Shweta Prasanna Muley and others

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

Court's or Judge's Order

Shri M.A.Kadu, Advocate for the Appellant.

Mrs. Dr.R.S.Sirpurkar, Advocate for the respondent nos. 2
and 3.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 7th JANUARY, 2022.

Shri M.A. Kadu, learned counsel for the appellant has filed this application stating that the Court had infact allowed withdrawal of 75% of compensation as it was done in First Appeal No. 392 of 2021. However, due to typographical error 100% is allowed to be withdrawn.

2. Mrs. Sirpurkar, learned counsel for the respondents/original claimants disputes the said statement.

3. It is to be noted by order dated 23rd September, 2021 in First Appeal No. 392 of 2021, this Court allowed withdrawal of 75% of compensation with accrued interest, whereas in the present appeal respondent-claimant is permitted to withdraw 50% of the compensation upon furnishing an undertaking to respondents in case of adverse order and remaining 50% amount of compensation was permitted to be withdrawn on furnishing solvent surety/security to that extent. There does not appear to be any typographical error in the order which warrants correction on an application styled as 'Speaking to Minutes'. Hence, the application stands dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)

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