

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

**First Appeal No.1/2022**

V.I.D.C., through Executive Engineer, Lower Wardha Canal Division, Wardha **Vs.** Chandrashekhar  
Deorao Talmale and others

-----  
Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders

-----  
Shri U.A. Gosavi, Advocate for appellant.  
Shri A.S.Dhore, Advocate for respondent No.1  
Shri N.R. Patil, AGP for respondent Nos.2 and 3

**CORAM : SMT. ANUJA PRABHUDESSAI, J.**  
**DATE : 6<sup>th</sup> JANUARY, 2022.**

Heard.

**ADMIT.**

Call for the Record and Proceedings.

Paper-book be filed within six months.

Shri Dhore, learned counsel waives service of notice for respondent No.1 and Shri Patil, learned AGP waives service of notice for respondent Nos.2 and 3.

**Civil Application No2645 of 2021**

By this application, the responded No.1/original claimant before the reference Court, has sought withdrawal of compensation deposited by the appellant.

Having considered the reasons stated in the application, the applicant is permitted to withdraw 50 % of the compensation along with the proportionate interest accrued thereon. The withdrawal of the amount is subject to final outcome of the appeal and the respondent No.1 shall file an undertaking that the amount with interest will be refunded in the event

the appellant succeeds in the appeal.

The application **stands** disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

*nd.thawre*