

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CIVIL APPLICATION (CAF) NO. 2082 OF 2022

IN
FIRST APPEAL NO. 1910 OF 2019

Vidarbha Irrigation Development Corporation, thr. The E.E. and anr.

..vs..

Digambar Madhaorao Raut (dead) Smt. Pushpatai Digambar Raut and ors.

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

Court's or Judge's orders

Advocate h/f Shri M.A. Kadu, Advocate for the appellants.
Shri A.B. Nakshane, Advocate for respondent nos. 1A to 1C.

CORAM : VINAY JOSHI, J.
DATED : 23/11/2022.

Heard.

2. This is an application for modification of order dated 04.12.2019 by which the respondent nos. 1-A, 2-C, 3-B, 4 and 5-A were permitted to withdraw the partial amount of compensation relating to land acquisition proceedings. He sought clarification about the terms for withdrawal and in addition to that, requested to permit the claimants to withdraw the partial amount on surety.

3. This Court has permitted the claimants to withdraw 50% of the amount deposited in the Court. It was expressed that 25% of the amount on usual undertaking and 25% amount on surety. In view of that, respondent Nos. 1-A, 2-C, 3-B, 4 and 5-A are permitted to withdraw the amount in equal proportion.

4. In order to clarify, respondent No.1-A, 2-C, 3-B, 4 and 5-A are permitted to withdraw 50% of the

permitted amount to be withdrawn on usual undertaking and remaining 50% of the permitted amount on security or solvent surety, in equal proportion.

5. It is made clear that total withdrawal permitted by this Court is 50% of the amount deposited.

6. The application stands disposed of.

(VINAY JOSHI, J.)

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