

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

**CIVIL APPLICATION (CAF) NO.2635/2022**  
**IN**  
**FIRST APPEAL NO.881/2022**

**Executive Engineer, Purna Medium Project Achalpur Division, (Now Medium and Minor Irrigation Division, Achalpur), Achalpur, Taluka Achalpur, District Amravati**

**...Versus...**

**Dadarao s/o Vishramji Wankhade and others**

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

Court's or Judge's orders

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Shri Vinay Dahat, Advocate for appellant  
Shri R.J. Shinde, Advocate for respondent no.1/applicant  
Mrs. M.H. Deshmukh, AGP for respondent nos.2 and 3

**CORAM : AVINASH G. GHAROTE, J.**  
**DATE : 29/11/2022**

The civil application seeks withdrawal of the entire compensation amount as deposited in the Reference Court.

The application is opposed by the learned counsel for the appellant, however, considering that the entitlement of the respondent no.1 is not in dispute and it is only the quantum which is in dispute, 50% of the amount deposited in the Reference Court is permitted to be withdrawn, subject to the usual undertaking being furnished to the satisfaction of the Registrar of that Court.

The civil application is allowed in the above terms. No order as to costs.

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Considering the nature of the challenge **Admit.**

Advocate Shri Shinde waives service of notice for the respondent no.1 on merits. Learned Assistant Government Pleader Mrs. Deshmukh waives service of notice for the respondent nos.2 and 3 on merits.

Call record and proceedings. Private paper-book be filed within two weeks.

**(AVINASH G. GHAROTE, J.)**

Wadkar