



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2113 OF 2023
IN
FIRST APPEAL (ST.) NO.7533 OF 2022

Shri Deepak Vasantryao Davange ... Applicant

In the matter of :

The Executive Engineer,
Kadava Kalava Division, Nashik

Versus

Shri Deepak Vasantryao Davange
And Another ... Respondents

Mr. Sachin Gite for the Applicants.

Ms. Chaitrali A. Deshmukh for the Respondents.

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 3 NOVEMBER 2023

P.C.

. This is an application seeking withdrawal of the amount of compensation deposited by the Appellant before the Reference Court.

2 Learned Counsel for the Appellant objects withdrawal of the entire amount of compensation on the ground that in case the appeal succeeds, it would be difficult to recover the amount from Applicants.

3. Learned Counsel for Applicants submits that the Applicants would furnish security to the extent of 50 per cent of the amount compensation and the balance 50 per cent will be withdrawn without furnishing any security.

4. Having regard to the said aspect, the Applicants is granted relief in terms of prayer clause (a).

5. Applicants are permitted to withdraw the entire amount of compensation. However, they shall furnish security to the extent of 50 per cent of the amount deposited by the Appellant in the Reference Court to the satisfaction of the Reference Court.

6. Application is disposed of.

(NITIN B. SURYAWANSHI, J.)