

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

CIVIL APPLICATION (CAF) NO. 2935/2022 IN
FIRST APPEAL NO.135/2021

V. I. D. C. Through E.E., Minor Irrigation Division, Washim And Another
Vs
Kulbirsingh Harmendrasingh Bhatia And 2 Others

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

Court's or Judge's Order

Ms H.D. Marathe, Advocate for the appellants.

Mr A.B. Darekar, Advocate for the applicant/respondent No. 1.

Ms T.H. Udeshi, AGP for the respondent Nos.2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 06/02/2023.

1. Heard.
2. By this application, the applicant/respondent No.1 is seeking permission to withdraw the amount deposited by the appellant/acquiring body.
3. The learned advocate for the applicant/respondent No.1 states that, in another matter the Civil Application (CAF) No. 87/2022 in First Appeal No. 1035/2019, this Court has permitted to withdraw the entire amount.
4. In the circumstances and for the reasons stated in application, application is allowed and the applicant/respondent No.1 is permitted to withdraw 50% of the amount of compensation on furnishing usual undertaking that, if any, adverse order is passed, the applicant/

respondent No.1 shall redeposit the same, so also remaining 50% of the amount of compensation is permitted to be withdrawn on furnishing solvent surety/ security to that extent.

Civil application (CAF) No. 2935/2022 is disposed of.

First Appeal No. 135/2021.

1. The appellant shall file private paper-book within a period of six weeks.
2. Stand over after six weeks.

JUDGE