

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

CIVIL APPLICATION (CAF) NO. 237/2023 IN
FIRST APPEAL NO. 264/2020

Executive Engineer, V.I.D.C. Bembla Canal Division, Yavatmal

Vs

Parag Vasantrya Deshmukh And Others

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

Court's or Judge's Order

Ms I.P. Khisti, Advocate for the appellant.

Mr T.S. Deshpande, Advocate with Shri A.D. Deshmukh, Advocate for the
respondent No.1/Applicant.

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

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 16/02/2023.

1. Heard.
2. By preferring this application, respondent No.1/applicant, who is the original claimant is seeking withdrawal of the amount. The appellant is acquiring body has deposited the amount of Rs. 5,56,716/-.
3. It is submitted by respondent No.1 that his land is already acquired and he has no source of income. Now, he is facing financial crises and is unable to meet day-to-day expenses.
4. The said application is opposed by the appellant.

5. Considering small amount is deposited and he is in need of money for his day-to-day expenses, the application deserves to be allowed.

6. In view of the reasons mentioned in the application, respondent No.1/applicant is permitted to withdraw the amount on furnishing the usual undertaking.

7. The amount be disbursed after due identification and on the satisfaction of the Registrar (Judicial).

8. The appellant to furnish a private paper-book within a period of six weeks.

Civil application is disposed of.

Civil Application (CAF) No. 1514/2019

1. By this application, the appellant/VIDC is seeking stay to the execution, operation and implementation of the impugned judgment and award passed by the Joint Civil Judge, Senior Division, Yavatmal in L.A.C. No. 797/2012.

2. The appellant has already deposited the entire amount and respondent No.1 is permitted to withdraw the same.

3. In view of that the implementation, execution, and operation of the impugned judgment and award dated 13/09/2017 is stayed, till the final disposal of the appeal.

Civil application is disposed of.

FIRST APPEAL NO.264/2020

The appellant to file private paper-book within a period of eight weeks.

The appeal be placed for final hearing as per its turn after filing of the paper-book and its due verification.

JUDGE