

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

CIVIL APPLICATION (CAF) NO. 383/2023 IN
R.C. NO. 193/2019 (F.A. ST. 4347/2017) (D)

Executive Engineer, Minor Irrigation Division, Washim

Vs

Sudam Dama Bhagat And Others

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

Court's or Judge's Order

Mr A. Parihar, Advocate for the appellant.

Mr A.B. Nakshane, Advocate h/f Mr P.V. Bhoyar, Advocate for the
respondent No.1/applicant.

Mr M.A. Kadu, AGP for the respondent Nos. 2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 03/03/2023.

1. Heard.
2. By this application, applicant/respondent No.1 has filed for withdrawal of the amount.
3. First Appeal is already dismissed, in view of the Court's order for non-compliance dated 04/01/2019.
4. Appellant has already deposited the entire amount of compensation of Rs. 8,86,718/-.
5. It is submitted by Mr A.B. Nakshane, Advocate h/f Mr P.V. Bhoyar, that compensation amount is within four times as per Government Circular dated 13/08/2018.
6. Appellant has not taken steps to restore the appeal yet.

7. Learned advocate for the appellant, Mr A. Parihar submitted that he is taking steps to restore the appeal. In view of the reasons, mentioned in the application, respondent No.1 is entitled to receive the compensation amount. Hence, civil application deserves to be allowed.

8. Respondent No.1- Sudam Damodhar alias Dama Bhagat is permitted to withdraw the compensation amount of Rs. 8,86,718/- along with accrued interest on furnishing usual undertaking.

Civil Application (CAF) No. 383/2023 is disposed.

JUDGE