

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

CAF NO.507/2023 AND FA NO.1325/2019

VIDC, thr.Executive Engineer, Medium Project Division, Yavatmal and anr

..VS..

Kashinath Bhujapa Zade and ors

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

Court's or Judge's Order

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Shri A.B.Nakshane, Counsel for Applicant/R-1.

Shri J.B.Kasat, Counsel for Appellants.

Mrs.Shamsi Haider, AGP for R-2 & 3.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 22/02/2023

1. By this application, respondent No.1 seeks permission to withdraw amount.

2. The said application is strongly opposed by learned counsel Shri J.B.Kasat for appellants. He submits that appellants have challenged judgment and award as compensation awarded is exorbitant and excessive. Respondent No.1 is already permitted to withdraw 50% of the deposited amount which is more Rs.1.00 crore.

3. The grounds mentioned are not sufficient to permit respondent No1 to withdraw the amount. Maximum amount is already received by respondent No.1 towards compensation. Record and proceedings are already received in the present appeal. The appeal can be finally disposed of.

4. The appellants to file paper book within a period of

six weeks from today. After filing of the paper book, the appeal be listed for final hearing.

5. The application is **disposed** of.

(URMILA JOSHI-PHALKE, J.)

!! BrWankhede !!

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