

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

FIRST APPEAL NO.475 OF 2022

Vidharbha Irrigation Development Corporation, Through Executive Engineer, Minor
Irrigation Department - II Karanja

Vs.

Jayshree Gajanan Raut and others

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

Court's or Judge's orders

Mr. A. M. Kukday, Advocate for appellant.
Mr. A. R. Patil, Advocate for respondent no.1.
Mr. M. A. Kadu, AGP for respondent Nos.2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 23/03/2023

Civil Application (CAF) No.683 of 2023

Present application is for seeking permission to withdraw the compensation amount deposited by the applicant.

It is submitted by the respondent No.1 that his land is already acquired by the Government under the compulsory acquisition. Now, he has no source of income and all the family members are depending upon the acquired land. The Reference Court has awarded the compensation, however he has not received the compensation amount and facing the financial difficulties.

Said application is strongly opposed by the learned Advocate Mr. Kukday for the applicant on the ground that the Reference Court had awarded the

compensation which is excessive and exorbitant one. In view of that the respondent No.1 be permitted to withdraw the 50% amount of the amount.

Heard both the sides. Perused the application.

Considering the reasons mentioned in the application and the objection raised at this stage, it will be appropriate to permit the respondent No.1 to withdraw 50% of the amount on usual undertaking.

Amount be disbursed on due identification and verification.

Civil application is disposed of.

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Heard.

Admit.

Learned Advocate Mr. A. R. Patil waives notice for respondent No.1.

Learned AGP Mr. M. A. Kadu, waives notice for respondent Nos.2 and 3.

Call for record and proceeding.

Appellant to file paper book within ten weeks, after receipt of the record and proceeding.

Appeal be placed after filing of the paper book, its verification, as per its own turn.

(URMILA JOSHI-PHALKE, J.)