

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

CIVIL APPLICATION NO.822 OF 2023

IN

FIRST APPEAL NO.944 OF 2022

(VI.D.C. Vs. Mahadeo Narayan Bidkar and ors.)

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

Court's or Judge's Order

Shri U.A. Gosavi, Advocate for the appellant.
Shri S.R. Chakravarti, Advocate for respondent No.1.
Shri K.L. Dharmadhikari, AGP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- MARCH 21, 2023.

Heard.

2. This application is filed for seeking permission to withdraw the compensation amount.

3. As per the contention of the applicant that the land of the respondent No.1 is already acquired by the Government and they have no source of income. Now they are facing financial crisis, and therefore, they be permitted to withdraw the amount of compensation.

4. Said application is opposed by Shri Gosavi, learned Counsel for the appellant on the ground that the appellant has challenged the award as the compensation amount is awarded which is excessive and exorbitant one.

5. In view of the reasons mentioned in the application and considering 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.

6. The amount be disbursed on due identification and verification.
7. Civil application is disposed of.

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Heard.

2. Paper book is already filed.
3. Place the matter for final hearing as per its turn.

(URMILA JOSHI-PHALKE, J.)

**Divya*