

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

CIVIL APPLICATION (CAF) NO. 798/2023 IN
FIRST APPEAL NO. 17/2020

Union Of India, Thr. General Manager, Central Railway, Cst Mumbai And Another
Vs

Sau. Varsha Alias Vaishali Ashok Dhokne 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 N.P. Lambat, counsel for appellant.

Mr C.R. Nagbale, counsel for the respondent No.1/applicant.

Mr K.D. Dharmhadikari, AGP for the respondent Nos. 2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 20/03/2023.

1. By this application, respondent No.1/applicant filed application for withdrawal of the compensation amount deposited by the appellant.
2. It is submitted by the learned counsel for the respondent No.1, that his land is acquired under the compulsory acquisition. Now he has no source of income. Therefore, he is facing financial problem.
3. Mr N.P. Lambat, learned counsel for the appellant has strongly opposed the application, on the ground that, the appellant has challenged the judgment and award which is excessive and exorbitant one and hence application deserves to be rejected.

4. Considering the grounds raised in the application and considering the objection raised in the application, it will be appropriate to permit the applicant/respondent No.1 to withdraw 50% amount of usual undertaking.

5. Amount be disbursed on due identification and verification.

Civil Application is disposed of.

First Appeal No. 17/2020

List the matter after four weeks along with First Appeal No. 110/2020

JUDGE