

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

CIVIL APPLICATION (CAF) NO.1155 OF 2023

IN
FIRST APPEAL NO.76 OF 2022

Vidarbha Irrigation Development Corporation, Through, Chief Executive Engineer,
Lower Painganga Project Division Yavatmal

Vs.

Maroti Keshav Tekam (Dead) through LR's Chintaman s/o Maroti Tekam 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 h/f Mr. H. D. Marathe, Advocate for appellant.
Mr. S. V. Ingole, Advocate for respondent No.1.
Ms. T. Udeshi, AGP for respondent Nos.2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 19/04/2023

Present application is for seeking permission for withdrawal of the entire deposited decretal amount on the ground that the land of the respondent No.1/claimant came to be compulsorily acquired long back and now respondent No.1 is not having any source of income. Though compensation is awarded in his favour, he has not received the amount of compensation. Considering that he has no source of income, amount of compensation be disbursed to him.

The said application is strongly opposed by learned Advocate Mr. Kukday holding for learned Advocate Mr. Marathe for the appellant on the ground of excessive and exorbitant compensation is awarded by the

Reference Court.

Considering the reasons mentioned in the application and the ground raised by the appellant while objecting the application at this stage, it will be appropriate to permit the respondent No.1 to withdraw the entire amount of compensation along with accrued interest, considering the amount is meager.

In view of that civil application is disposed of.

The respondent No.1 is permitted to withdraw the amount of compensation Rs.5,37,420/- along with accrued interest on usual undertaking on due identification and verification.

(URMILA JOSHI-PHALKE, J.)

Sarkate