

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

CIVIL APPLICATION (CAF) NO.1241 OF 2023

IN
FIRST APPEAL NO.425 OF 2021

Vidarbha Irrigation Development Corporation, Through the Executive Engineer,
Bembla Project Division, Yavatmal

Vs.

Kisna s/o Shivaji Fulzale 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. S. V. Ingole, Advocate for respondent No.1.
Ms. T. Udeshi, AGP for respondent Nos.2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 27/04/2023

1. By this application, the applicant/respondent No.1 is seeking permission for withdrawal of the amount on the ground that respondent No.1 is in need of financial assistance as his land is already acquired by the Government and he has no source of income.

2. The said application is strongly opposed by the learned Advocate for the appellant on the ground that appeal is preferred as excessive and exorbitant compensation is granted. Considering the reason mentioned in the application and objection raised, it will be appropriate to permit the respondent No.1 to withdraw the entire amount of compensation which is a meager amount of Rs.3,31,425/-.

3. In view of that, respondent No.1 is permitted to withdraw the entire amount of compensation along with accrued interest on due identification and verification.
4. Civil Application is disposed of.

First Appeal No.425/2021

1. Appeal is already admitted. Record and proceeding is already received.
2. Appellant to file paper book within ten weeks.
3. Appeal be placed after filing of the paper book, its verification, as per its own turn.

(URMILA JOSHI-PHALKE, J.)

Sarkate