

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

CIVIL APPLICATION (CAF) NO.750 OF 2023
IN
FIRST APPEAL NO.601 OF 2015

Vidarbha Irrigation Development Corporation
Vs.
Smt. Sonabai Krishnaji Ingole 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. P. B. Patil, Advocate for appellant.
Mr. A. P. Thakare, Advocate for respondent Nos.2 to 8.
Ms. T. Udeshi, AGP for respondent Nos.9 and 10.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 29/03/2023

Present application is for seeking permission to withdraw the amount deposited in the Court on the ground that land of the claimant is already acquired and now they have no source of income. They are in need of financial assistance to meet their day to day expenses.

The said application is strongly opposed by learned Advocate Mr. P. B. Patil for the appellant on the ground that he has challenged the Judgment and Award as excessive and exorbitant compensation is awarded for trees.

In view of the reasons mentioned in the application and considering the objection raised, it will be appropriate to permit the respondent Nos.2 to 8 to withdraw 50% of the amount along with accrued interest

on due identification and verification.

Civil Application is disposed of.

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Learned Advocate Mr. Patil for the appellant submitted that learned Advocate for the respondent Nos.2 to 8 mentioned before the Court that respondent No.1 is not alive and her legal heirs are already on record, therefore he be permitted to carry out the necessary corrections in the appeal memo. He further submitted that the short issue is involved, hence matter can be disposed of.

Paper book is already filed. The appeal is of 2015 i.e. eight years old therefore, it can be taken up for hearing.

Stand over **after four weeks**.

The office objection was in respect of copy was not supplied to the respondents. Now respondents have received the copy of paper book.

(URMILA JOSHI-PHALKE, J.)

Sarkate