

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

CIVIL APPLICATION (CAF) NO. 1976 OF 2023
IN
FIRST APPEAL NO. 495 OF 2022

V.I.D.C. THR. EXECUTIVE ENGINEER, MINOR IRRIGATION DEPARTMENT-II, KARANJA, WASHIM

...**VERSUS**...

BHARATI MANOJ WAKTE (PATIL) AND OTHERS

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri A.M.Kukday, Advocate for appellant.

Shri A.R.Patil, Advocate for respondent no. 1/applicant.

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 19th JULY, 2023

The present application is filed by respondent no. 1 for grant of permission to withdraw the compensation amount deposited by the appellant.

2. The appellant has deposited the entire decretal amount of Rs. 69,54,761/- with this Court in pursuance of the order dated 24/01/2023. Considering the reasons mentioned in the application and in the interest of justice, it would be appropriate to allow respondent no. 1 to withdraw 50% of decretal amount so deposited by the appellant, along with accrued interest. Accordingly, the application is allowed. The applicant is permitted to withdraw 50% of the amount so deposited by the appellant, along with accrued interest thereon.

3. Registry is hereby directed to disburse the said amount in favour of respondent no. 1/applicant within a period of two weeks, on usual undertaking that, if the appellant would succeed in the matter, the respondent no. 1 shall deposit the amount as per direction which will be passed in the First Appeal.

4. Interim order granted earlier to continue till pendency of appeal.

5. Accordingly, the present application stands disposed of.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar