



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

CIVIL APPLICATION (CAF) NO.2331 OF 2022
AND
CIVIL APPLICATION (CAF) NO.55 OF 2022
IN
FIRST APPEAL NO. 28 OF 2022

(VIDARBHA IRRIGATION DEVELOPMENT CORPORATION & ANR..VS.. GOPAL DILIP KATKE & OTH.)

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

Court's or Judge's orders

Shri M.A.Kadu, Advocate for Appellants.
Shri Deoul Pathak, Advocate for Respondent No.1
Ms Mrunal Naik, A.G.P. for Respondent Nos. 2 and 3.

CORAM : ANIL S. KILOR, J.
DATED : OCTOBER 20, 2023.

CIVIL APPLN.NO. 2331/2022.

1. Heard.
2. This is an application by the respondent No.1 for grant of permission to withdraw the compensation amount deposited by the appellant.
3. Considering the challenges raised by the appellant in the appeal and the facts of the case, the respondent No. 1 / claimant is permitted to withdraw 50% of the amount deposited by the appellant with the Registry of this Court on furnishing surety to the satisfaction of the Registrar (Judicial) of this Court and balance 50% amount on filing an undertaking to the

satisfaction of the Registrar (Judicial) that in case the appeal is allowed, the respondent No.1 shall repay the amount withdrawn by him with interest as would be determined by the Court, within the stipulated time.

4. The Civil Application is **disposed of** accordingly.

CIVIL APPLN.NO.55/2022.

5. In view of the fact that the decretal amount has been deposited, the execution of the impugned judgment and award dated 03/02/2021 is **stayed**.

6. The Civil Application is **disposed of** accordingly.

JUDGE