



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

CIVIL APPLICATION (CAF) NO. 2746 OF 2023 IN

FIRST APPEAL NO. 818 OF 2016

Executive Engineer, Lower Wardha Project Division, Wardha

.Vs.

Janardhan Domaji Solav (Dead) through legal heirs and Ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Shri Waghmare, Advocate h/f Shri P.B. Patil, Advocate for
the appellant.

Shri S.D. Chopde, Advocate for respondent No.1(a) to 1(c).
Shri M.A. Kadu, AGP for respondent Nos.2 and 3.

CORAM : G.A. SANAP, J.

DATE : 21/09/2023

Leave to amend the application as prayed for
correction of the numbers of the respondent Nos.1(a) to
1(c) is allowed. Necessary correction be carried out forth
with.

2. This is an application filed by respondent Nos.1
to 3 for withdrawal of balance amount of Rs.18,58,563/-
(Eighteen Lacs Fifty Eight Thousand Five Hundred and
Sixty Three Only) deposited by the appellant/acquiring
body towards the compensation.

3. The reasons have been stated in the application.
In view of the reasons stated in the application, the
application is allowed.

4. Respondent No.1 (c)-Vijay s/o Janardan Solav
is allowed to withdraw 90% of the balance amount with

accrued interest on behalf of respondent Nos.1 to 3. Out of said 90% of the amount 70% is allowed to be withdrawn on furnishing usual undertaking to the effect that he will return the said amount in case the appeal is decided against him along with interests at the rate that will be determined by the Court and 30 % is allowed to withdraw on furnishing solvent surety.

6. The amount be paid within four weeks.
7. Application stands disposed of, accordingly.

(G. A. SANAP, J.)

manisha