



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

CIVIL APPLICATION (CAF) NO. 3058 OF 2023

IN

FIRST APPEAL NO. 175 OF 2016

Executive Engineer, (V.I.D.C.), Lower Wardha Project, Division Wardha, Tah. &
Distt. Wardha

VS.

Pramod S/o. Devidas Dole and others.

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

Ms Ira Khisti, Advocate for the appellant

Ms R. S. Sirpurkar, Advocate for respondent Nos. 1 & 2

Ms Trupti Udeshi, AGP for respondent Nos. 3 and 4

CORAM : G.A. SANAP, J.

DATE : OCTOBER 6, 2023.

Heard.

2. This is an application for modification of order dated 07.09.2023 with regard to condition of furnishing solvent surety. It is submitted that entire land belonging to the claimant/respondent Nos. 1 and 2 has been acquired by the appellant. Nobody is ready to stand as a surety. The respondent Nos. 1 and 2 are the rustic villagers. They are finding it very difficult to get solvent surety. Therefore, they prayed for modification said condition.

3. Learned Advocate for the appellant submits that considering the huge amount involved in the case, the condition may not be modified.

4. It is seen that after granting permission to withdraw 50 % of the balance amount of the compensation, the amount of Rs.1 crore will be still lying deposited in the Court.

5. In view of the reasons stated in the application, the application is allowed. The condition is modified as prayed for. Instead of condition of furnishing solvent surety the claimants are directed to furnish the usual undertaking.

6. The application stands **disposed of**, accordingly.

(G. A. SANAP, J.)

Namrata