

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

CIVIL APPLICATION (CAF) NOS. 225 OF 2020
IN
FIRST APPEAL NO. 986 OF 2017(D)

EXECUTIVE ENGINEER, K.P. PRAKALP, DEULGAON RAJA, BULDHANA

...VERSUS...

GAMBHIRRAO RAOSAHEB DESHMUKH (WAYAL) 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 Abhijit Parihar, Advocate for appellant.
Shri M.A. Kadu, AGP for respondent no. 3.

CORAM : URMILA JOSHI-PHALKE, J.

DATE : 31st JANUARY, 2023

By this application, respondent nos. 1 and 2 (original claimants) are seeking permission for withdrawal of 25% amount deposited by the appellant along with accrued interest.

2. As per the contention of respondent nos. 1 and 2, their landed property is already acquired by the government. There is no source of income for their livelihood and they are in dire need of money, so to make arrangement for their livelihood, they be permitted to withdraw 25% of the amount from the deposited amount, along with accrued interest.

3. Shri Parihar, learned counsel for the appellant raised objections on the ground that, already learned Reference Court has enhanced the compensation amount which is exorbitant.

4. Perused the application. Heard both the sides. Considering the reasons mentioned in the application, respondent nos. 1 and 2

are permitted to withdraw 25% of the deposited amount along with accrued interest. The amount to be disbursed on due identification and verification.

5. Accordingly, the application is disposed of.

CROSS OBJECTION (XOB) NO. 04 OF 2022

Stand over after three weeks for final hearing.

(URMILA JOSHI-PHALKE, J.)

B.T.Khapekar