



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

**CAF NO.3546 OF 2023 IN
FIRST APPEAL st NO.406 OF 2023**

**V.I.D.C., THR. EXECUTIVE ENGINEER, AMRAVATI PROJECT CONSTRUCTION DIVISION,
AMRAVATI AND OTHER VS NILESH PRALHADRAO GORATE AND OTHERS**

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. P.B. Patil, Advocate for the Appellant/s
Mr. Abhijeet Deshmukh, Advocate for the respondent No.1

**CORAM : ANIL S. KILOR, J.
DATE : 30.11.2023**

1. This is an application moved by the respondent No.1 for withdrawal of amount deposited by the appellants/VIDC.
2. The appellants deposited Rs.12,57,178/- towards enhanced compensation granted by the Reference Court.
3. The application is being opposed by the appellants on the ground that the appellants have a very good case on merits and there is every possibility that the appellants would succeed in the matter.
4. In the circumstances, I am of the opinion that if the respondent No.1 is permitted to withdraw 25 % of the amount on furnishing solvent security and 50 % of the amount on an undertaking that if he fails in the present matter, he would deposit the amount back, the ends of justice would be subserved. Accordingly, the application is **partly allowed**.

5. The applicant/respondent No.1 is permitted to withdraw 25 % of the amount on furnishing solvent security and 50 % of the amount on the undertaking i.e. 75 % of the total amount of Rs.12,57,178/- deposited by the appellants.

6. The application is **disposed of**.

[ANIL S. KILOR, J.]