

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

CIVIL APPLICATION (CAF) NO.140 OF 2023
IN
FIRST APPEAL NO.798 OF 2022

Executive Engineer Medium Project Division Irrigation Department Yavatmal and
another

Vs.

Baliram Bhima Chandekar through legal heirs 1) Gangadhar Baliram Chandekar and
others
with

FIRST APPEAL NO.301 OF 2021

Vidarbha Irrigation Development Corporation, Nagpur through Executive Engineer
Medium Project, Yavatmal and another

Vs.

Rambhau Sadashiv Bobade and others

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

Court's or Judge's orders

Ms. I. P. Khisti, Advocate for appellants.

Mr. S. D. Dharaskar, Advocate h/f Mr. K. S. Narwade, Advocate for respondent No.1.

Mr. J. Y. Ghurde, Advocate for respondent Nos.2 to 5.

Ms. Shamsi Haider, AGP for respondent Nos.6 and 7.

Mr. Nikhil Waghmare, Advocate h/f Mr. P. B. Patil, Advocate for appellants in FA
No.301/2021.

Mr. S. D. Dharaskar, Advocate h/f Mr. K. S. Narwade, Advocate for respondent No.1, in
FA No.301/2021.

Ms. Shamsi Haider, AGP for respondent Nos.2 and 3 in FA No.301/2021.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 19/01/2023

By this application, respondent Nos.1 to 5
are seeking withdrawal of the amount. The same is
opposed by Ms. Khisti, learned Advocate for the
appellants.

However, considering the respondent Nos.1
to 5 are entitled to receive the compensation amount and

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they can be permitted to withdraw 50% of amount equally, as appellants acquiring body has challenged the award on the ground that compensation awarded is exorbitant one.

In view of the reasons mentioned in the application, respondent Nos.1 to 5 are permitted to withdraw 50% amount equally on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

Civil application is disposed of.

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Call for Record and Proceedings.

Appellant to file paper book within six weeks. After receipt of the Record and Proceedings, stand over after six weeks.

(URMILA JOSHI-PHALKE, J.)

Sarkate