



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

CIVIL APPLICATION (CAF) NO. 646 OF 2023

IN

FIRST APPEAL NO. 1035 OF 2022

Executive Engineer, Wardha

.VS.

Shri Naresh S/o. Anandrao Karotkar and others

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

Mr Ritesh Karla, Advocate for the appellant
Ms Sonia Thakur, AGP for respondent Nos. 2 and 3

CORAM : G.A. SANAP, J.

DATE : MARCH 04, 2024.

Heard.

2. This is an application for withdrawal of the amount of Rs.3,23,200/- deposited in this Court. In view of the facts stated in the application, the application is **allowed.**

3. The claimant/respondent No.1 is allowed to withdraw Rs.3,23,200/- subject to furnishing usual undertaking to the effect that he will return the entire amount in case the appeal is decided against him alongwith interest at the rate that will be determined by the Court.

4. The civil application stands **disposed of**, accordingly.

CIVIL APPLICATION NO. 1041 OF 2022

5. Heard.

6. This is an application for stay to the execution of impugned judgment and decree dated 20.09.2019. Learned Advocate for the appellant submits that the compensation amount deposited by the appellant. In view this, the application is allowed.

7. There shall be stay to the execution of the impugned judgment & decree dated 20.09.2019 passed by the Civil Judge Senior Division, Wardha in Case No. 56 of 2015 till final disposal of this appeal.

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

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9. The appeal is already admitted.

10. On receipt of record and proceeding, paper book be filed within twelve weeks from the date of receipt of record and proceeding.

(G. A. SANAP, J.)