



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

CIVIL APPLICATION (CAF) NO. 2569 OF 2022

IN

FIRST APPEAL NO. 891 OF 2022

V.I.D.C. through its Executive Engineer, Yavatmal

.Vs.

Madan Sahebrao Gadekar and Ors.

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

Ms Ashwini s. Athalye, Advocate for the appellant.
Mr. Pawan Sarise, Advocate h/f Mr. R.J. Shinde, Advocate
for respondent No.1.
Mr. M.A. Kadu, AGP for respondent Nos.2 and 3.

CORAM : G.A. SANAP, J.

DATE : 16/01/2024

Heard learned Advocates for the parties.

2. This is an application filed by respondent No.1 seeking permission to withdraw the decretal amount deposited by the appellant/acquiring body towards the compensation in terms of order dated 13.10.2023.

3. The reasons have been stated in the application. In view of the reasons stated in the application, the application is allowed.

4. Respondent No.1-Madan Sahebrao Gadekar is allowed to withdraw 80% of the amount with accrued interest. Out of said 80% of the amount, 60% is allowed to be withdrawn on furnishing usual undertaking to the effect that he will return the said amount in case the appeal is

decided against him along with interest at the rate that will be determined by the Court and 20% is allowed to withdraw on furnishing solvent surety.

5. Application stands disposed of, accordingly.

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1. Two weeks time is granted for filing paper book.
2. Stand over after two weeks.

(G. A. SANAP, J.)

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