



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

CIVIL APPLICATION (CAF) NO. 1777 OF 2024
IN
FIRST APPEAL NO. 1186 OF 2023

VI.D.C. through its Chief Executive Engineer, Bembla Project Yavatmal
..VS..

Pandurang Sakharam Mogare and two others

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

Court's or Judge's orders

Mr. N.A. Laplikar, Advocate h/f. Mrs. Ashwini Athalye, Advocate for
appellant.

Ms. Mohini Dubay, Advocate h/f. Mr. S.V. Ingole, Advocate for
respondent No.1.

Ms. Deepa Charlewar, AGP for respondent Nos.2 and 3.

CORAM : SANJAY A. DESHMUKH, J.

DATED : 16th JULY, 2024

Corrected as per
Court's order dated
19.09.2024, passed in
CAF No. 2549/2024.

1. This is an application for withdrawal of amount under Award deposited in the Reference Court.
2. Perused the application.
3. Heard learned Advocate for both sides.
4. Considering the peculiar set of facts, it would be proper to direct the Reference Court to pay 75% amount of compensation deposited in the Reference Court on furnishing usual undertaking.
5. The application is allowed in the interest of justice. The Reference Court is directed to pay 75% amount of compensation deposited in the Reference Court along with accrued interest thereon, on furnishing usual

undertaking. The Reference Court is further directed that to verify the Power of Attorney then pay the amount to Power of Attorney holder accordingly.

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

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1. Learned Advocate for the appellant seeks leave to file private paper book. Leave is granted as prayed. Paper book be filed within a period of four weeks.

2. Stand over after **four weeks**.

(SANJAY A. DESHMUKH, J.)