



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

CIVIL APPLICATION (CAF) NO. 3456 OF 2023

IN

FIRST APPEAL NO. 644 OF 2022

Executive Engineer, Madhyam Prkalp Vibhag, Yavatmal
.Vs.

Aatmaram Anandrao Khatare (Dead) 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 Ira P. Khisti, Advocate for the appellant.
Shri S.V. Ingole, Advocate for respondent Nos.1 and 2.
Shri K.R. Lule, AGP for respondent Nos.3 and 4.

CORAM : G.A. SANAP, J.

DATE : 11/01/2024

This is an application filed by respondent Nos.1 and 2 for withdrawal of Rs.9,84,233/- (Rs. Nine Lacs Eighty Four Thousand Two Hundred and Thirty Three Only) deposited by the appellant/acquiring body towards the compensation.

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

3. Respondent No.1 is allowed to withdraw the amount of share of respondent No.2 on the basis of power of attorney in his favour by respondent No.2.

4. Respondent No.1 Vinod S/o Aatmram Khatare is allowed to withdraw 80% of the amount with accrued interest 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.

4. The amount be paid within four weeks.
5. Application stands disposed of, accordingly.

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1. Time of filing paper book is extended by two weeks.
2. Stand over after **two weeks**.

(G. A. SANAP, J.)