



-3922-2023

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

CIVIL APPLICATION (F) NO. 3922 OF 2023
IN FIRST APPEAL NO. 252 OF 2021

(Vidarbha Irrigation Development Corporation, through its Executive Engineer Vs. Arun Sitaram Pawar & Ors.)

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

Court's or Judge's orders.

Ms Anjali Agrawal h/f Shri H.D. Marathe, Counsel for the
appellant.

Shri Pavan Sarise h/f Shri R.J. Shinde, Counsel for the
applicant/respondent no.1.

Ms H.S. Dhande, A.G.P for respondent nos. 2 and 3.

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CORAM : ANIL L. PANSARE, J.
JANUARY 3, 2024.

By this application, the applicant/
respondent no.1 – claimant seeks permission to withdraw
25% balance amount of compensation deposited by the
appellant.

2] Perused the impugned judgment.
Considering the nature of evidence on record, the
claimant is permitted to withdraw 25% balance amount
of compensation on filing an undertaking that in case the
appeal is allowed, the said amount shall be repaid with
interest at such rate the Court may direct and further the
claimant shall furnish solvent surety to the extent of
remaining amount which is allowed to be withdrawn to
the satisfaction of the Registrar (Judicial).

3] The Civil Application is disposed of.

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4] Issue notice to the respondents returnable in two weeks.

5] Shri Pavan Sarise h/f Shri R.J. Shinde, learned Counsel waives notice for respondent no.1.

6] The learned A.G.P waives notice for respondent nos. 2 and 3.

7] The parties are put to notice that the appeal may be taken-up for final hearing at the stage of admission. The parties are at liberty to file compilation of documents which they intend to rely upon.

8] In the meantime, call R & P

(ANIL L. PANSARE, J.)

Sumit