



25.caf.483.2024 in fa.376.2023.odt

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

CIVIL APPLICATION (CAF) NO. 483 OF 2024

IN

FIRST APPEAL NO. 376 OF 2023

(VIDC, Amravati & Anr. V/s Dinesh Bhimrao Thakre & Ors.)

Office Notes, Office Memoranda of Coram,
Appearances, court's orders or directions and
Registrar's orders

Court's or Judge's orders

Mr. V. B. Rathi, Advocate h/f Mr. P. B. Patil, Advocate
for Appellants.

Ms. S. W. Deshpande, Advocate for
Applicant/Respondent No.1.

Ms. Mukta Kavimandan, AGP for Respondent Nos.2 &
3/State.

CORAM : ANIL L. PANSARE, J.

DATE : FEBRUARY 14, 2024.

. By the present Application, the Applicant/Respondent
No.1 is seeking to withdraw the amount of compensation
deposited by the Appellant/VIDC.

2. According to the learned Counsel for the
Applicant/Respondent No.1, the amount of compensation would
be Rs.11,00,000/-approximately. The Appellant/VIDC has
deposited only Rs.5,92,438/-.

3. When enquired as to whether the amount deposited
by the Appellant/VIDC is the entire amount of compensation, the
learned Counsel for the Appellant instead of admitting the

mistakes, submits that there appears to be an error in the calculation and will have to seek instructions.

4. I have gone through the Award, which apparently shows that the amount of compensation would be more than Rs.10,00,000/-. The learned Counsel for the Appellants ought to have made a statement that an amount of Rs.5,92,438/- will not be the entire amount of compensation. Be that as it may, the fact remains that the Appellant/VIDC has not deposited the entire amount of compensation. It will be, therefore, appropriate to permit the Respondent No.1/Claimant to withdraw the amount of compensation deposited in this Court upon furnishing undertaking that in case the Appeal is allowed, the said amount shall be redeposited with interest at such rate the Court may direct.

5. Civil Application stands disposed of accordingly.

(ANIL L. PANSARE, J.)