



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

CIVIL APPLICATION (CAF) NO. 3634 OF 2024
IN
FIRST APPEAL ST.NO. 15814 OF 2023

VIDARBHA IRRIGATION DEVELOPMENT CORPORATION
Vrs.
RAJU @ GOPAL DHONDUJI INGALE @ INGLE AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms. Ashwini Athalye, Advocate for appellant.
Shri Paras Rathi, Advocate h/f Shri Abhijeet Deshmukh, Advocate for
respondent No.1.
Ms. Ritu Sharma, AGP for respondent Nos.2 and 3.

CORAM: SANJAY A. DESHMUKH, J.
DATE : 12/12/2024.

1. This is an application for withdrawal of amount.
2. Learned advocate for the respondent No.1 submitted that there is one more claimant, who is now respondent No.4 in this proceeding. He submitted that respondent No.4 has not filed reference like the respondent No.1. He pointed out that only 0.10 HR of land of respondent No.4 is acquired. Therefore, he is entitled for compensation of Rs.4,64,231/- out of amount under award.
3. Perused the application.
4. Heard learned Advocates for both sides.
5. Considering the grounds stated in the application and submission of learned advocate for the

Corrected as per
Court's order
dated 20.12.2024

respondent No.1 excluding the amount of 4,64,431/- out of **Rs.94,70,316/-** is the share of respondent No.1 – claimant. The application deserves to be allowed partly. After excluding amount of Rs.4,64,231/- out of **Rs.94,70,316/-**, 75% amount be paid to the respondent No.1- claimant as under :-

i] Registry is directed to pay 50% amount on execution of usual undertaking and 25% amount on execution of solvent surety / security along with accrued interest thereon to the respondent No.1 – Raju @ Gopal Dhonduji Ingale @ Ingle.

6. Application is disposed of.

[SANJAY A. DESHMUKH, J.]

Choulwar