



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

**Civil Application (CAF) No. 2922 of 2024 in
First Appeal No. 1053 of 2024**

**Executive Engineer Upper Wardha Project, B.Z.No.1, V.I.D.C., Amravati
Versus**

Bhaurao Nagoji Shekar and others

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

Court's or Judge's Order

Shri M.V.Babhulkar, Advocate for the applicant/appellant.

Shri Shriram Chopde, Advocate h/f Shri R.D.Dharmadhikari,
Advocate for the respondent.

Shri A.R.Chutke, APP for the respondent nos. 2 and 3/State.

**CORAM : NITIN B. SURYAWANSHI &
PRAVIN S. PATIL, JJ.**

DATED : 28th JANUARY, 2025.

Heard the learned Advocate for the applicant /
appellant.

2. For the reasons stated in the application, the same is
allowed in terms of prayer clause (i) on a condition that the appellant
shall deposit the entire compensation amount along with accrued interest
thereon in this Court within a week.

Civil Application Stamp No. 18932 of 2024

Heard.

2. This is an application for withdrawal of amount of
compensation deposited by acquiring body. Reliance is placed of order
dated 16th January, 2025 passed in Civil Application (CAF) No. 117 of

2025 in First Appeal No. 817 of 2013, which arose out of same acquisition. By the said order, respondent no.1/claimant therein was permitted to withdraw 50% of amount on furnishing usual undertaking and 25% of amount on execution of solvent surety.

3. In view of above, civil application is allowed. After deposit of compensation amount by the appellant/acquiring body, claimant/respondent no.1 is permitted to withdraw 50% amount along with proportionate accrued interest, on furnishing usual undertaking and 25% of amount along with proportionate accrued interest, on execution of solvent surety/security to the satisfaction of the Registrar (Judicial).

4. The application stands disposed of accordingly.

First Appeal No. 1053 of 2024

Heard.

2. **ADMIT**

3. Shri Chopde, learned Advocate waives service of notice on behalf of respondent no.1.

3. Learned AGP waives service of notice on behalf of respondent nos. 2 and 3/State.

5. Call for record and proceedings.

6. To be heard along with First Appeal Nos. 817 of 2023 and 992 of 2023.

[PRAVIN S. PATIL, J.]

[NITIN B. SURYAWANSHI, J.]