



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

CIVIL APPLICATION NO.75 OF 2023

IN

FIRST APPEAL NO.845 OF 2022

(Executive Engineer, Bembla Project, VI.D.C, Yavatmal Vs. Mrs. Suman w/o Krushnarao Thakare and ors.)

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

Court's or Judge's Order

Shri R.D. Kalra, Advocate for the appellants.
Shri K.S. Narwade, Advocate for respondent No.1.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- JANUARY 12, 2023.

Heard.

2. By this application, the respondent No.1/claimant is seeking withdrawal of the amount of Rs.3,41,281/- which is deposited by the appellant against the decree and accrued interest on it.

3. The appellant has strong objection for withdrawal, on the ground that the Reference Court has awarded the compensation at a higher rate.

4. Heard both the sides.

5. Considering the reasons mentioned in the application, the applicant/respondent No.1 is permitted to withdraw 75% of the amount which is deposited by the appellant, on furnishing usual undertaking.

6. Civil application is disposed of.

FIRST APPEAL NO.845/2022

Heard.

2. The appellant to file private paper book within a period of eight weeks.

3. Stand over to eight weeks.

(URMILA JOSHI-PHALKE, J.)

**Divya*