



Misc. App. 3914 / 09
In
F.A. No. 11 of 2009

Hon. Prafulla C. Pant, J.

Mr. Pradeep Joshi, Central Government Counsel present for the appellant.

Mr. Deepak Sharma, Advocate holding brief of Mr. R.K. Raizada, Advocate present for respondent.

This is Application No. 3914 of 2009, moved on behalf of respondent, for release of compensation deposited by the appellant.

Heard.

In this first appeal order dated 25.10.2008, passed by the District Judge, Dehradun, in Land Acquisition Reference Case No. 240 of 1994, has been challenged.

Vide interim order dated 11.02.2009, this Court has stayed operation of the impugned order on the condition that the appellant shall deposit 50 per cent of the amount awarded by the reference court.

Having heard learned counsel for the parties and after going through the impugned order passed by the reference court, the Application No. 3914 of 2009, is disposed of with the direction that the respondent / claimant shall be allowed to withdraw the 50 per cent of the enhanced sum, deposited by the appellant in pursuance to order dated 11.02.2009, after taking an undertaking from the respondent.

List this first appeal for final hearing in due course.

(P.C. P., J.)
01.06.2009