

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
910 CIVIL APPLICATION NO. 1122 OF 2015
IN FA/244/2015

KISHAN MARUTI PITALE
VERSUS
MAHARASHTRA INDUSTRIAL DEVELOPMENT
CORPORATION THR ITS DIVISIONAL OFFICER AND AN

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Advocate for Applicant : Mr. Natu Sharad V.
Mr. GR Ingole, AGP for Respondent-State;
Mr. Bhosale S B, Adv. For R/1 .

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CORAM : R. M. BORDE & P.R. BORA, JJ.
Dated: January 30, 2015

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PER COURT :-

1) This is an application seeking withdrawal of the amount deposited by the appellant/acquiring body – MIDC, Latur in this Court.

2) Land Acquisition Officer awarded compensation @ Rs.255/- per Are, which has been enhanced by Civil Judge, Senior Division, Latur, to the extent of Rs.12,000/- per Are. Considering the facts and circumstances of the case, we deem it appropriate to permit the applicant/claimant to withdraw 50% of the amount out of the deposited amount by the acquiring body in this Court. The applicant would be permitted to withdraw 25% of the amount, out of the total amount deposited by the acquiring body in this court on applicant's furnishing an undertaking that in the event of success of the appeal, he would re-deposit the amount in this court within a period of 12 weeks from such decision.

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3) The applicant would be permitted to withdraw 25% of the total amount deposited in this court on furnishing solvent surety in the like amount. The balance amount shall be invested in Fixed Deposit, initially for a period of three years and it shall be renewed thereafter for a period until dispose of the appeal.

. Civil Application stands disposed of.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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