

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 1985 OF 2015
IN
FIRST APPEAL (ST.) NO. 12377 OF 2009**

Chandsaheb Pashasaheb Bagwan
Died through his L.Rs.
Mannabi Chandsaheb Bagwan,
Age: 85 years, Occu: H. H.,
Near Lalgodown, Bagwan Galli,
Latur & ors.

...Applicants

versus

Maharashtra Industrial Development
Corporation, Through Regional Manager,
At Latur & anr.

...Respondents

.....
Mr. Mahesh S. Patil, Advocate for applicants.
Mr. S. S. Dande, Advocate for respondent No. 1.
Mr. G. R. Ingole, A. G. P. for respondent/State.
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**CORAM : R. M. BORDE &
N. W. SAMBRE, JJ.**

DATE : 20TH FEBRUARY, 2015

PER COURT :

. This is an application seeking withdrawal of the amount deposited by the acquiring body in this Court. It is informed that the acquiring body has deposited 50% amount out of the amount awarded by the Reference Court under the impugned award.

2. Considering the facts and circumstances of this case, the applicants shall be permitted to withdraw the amount to the extent of 50% out of the amount deposited by the acquiring body in this Court on furnishing an undertaking to the effect that, in the event of success of appeal, they shall re-deposit the amount within a period of twelve weeks from such decision. The balance amount of 50% out of the amount deposited by the acquiring body in this Court shall be permitted to be withdrawn by the applicants on furnishing Bank Guarantee of Nationalized/Scheduled Bank for the like amount. The Bank Guarantee shall be kept alive until disposal of the appeal.

3. With the directions as above, Civil Application stands disposed of.

4. It would be open for the applicants to withdraw the amount in proportion of their share as determined by the competent Civil Court in pursuant to the settlement in Lokadalat.

[N.W. SAMBRE, J.]

[R. M. BORDE, J.]