

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

**CIVIL APPLICATION NO. 3883 OF 2015
IN
FIRST APPEAL N O. 2101 OF 2014**

Venkatesh s/o Udhav Sarkale

.. APPLICANT

VERSUS

The State of Maharashtra
& another

.. RESPONDENTS

Mr. N.B. Khandare, advocate for applicant.
Mr. S.G. Karlekar, AGP for the State.
Mr. S.S. Dande, advocate for respondent no. 2.

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**CORAM : R.M. BORDE &
V. K. JADHAV JJ.
DATE : 17th APRIL, 2015.**

PER COURT :

1. This is an application seeking withdrawal of amount deposited by the M.I.D.c. In this court towards enhanced compensation. Considering the contentions raised by the applicant, the application needs to be allowed and the same is accordingly allowed partly.

2. The applicant shall be permitted to withdraw 25% of the amount out of the amount deposited by the acquiring body / appellant in this Court on furnishing undertaking to the effect that in the event of success of appeal, the applicant would re-deposit the amount in this Court within a period of 12 weeks from such decision. Further amount to the extent of 25% out of the amount deposited by the acquiring body in this Court shall be permitted to be withdrawn by the applicant on furnishing solvent security for the like

amount.

3. The balance amount of 50% out of the amount deposited by the acquiring body in this Court shall be deposited in fixed deposit in any Nationalised Bank, initially for a period of three years. The fixed deposit shall be renewed thereafter until disposal of the appeal.

4. With the directions as above, civil application stands disposed of.

(V.K. JADHAV)
JUDGE

(R. M. BORDE)
JUDGE

dyb