

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.8804 OF 2015
IN
FIRST APPEAL NO. 324 OF 2014

Laxman Venkat Sude
died through LRs

Bhanudas Laxuman Sude
since died through LRs
Shantabai Bhanudas Sude and others

Applicants

Versus

Maharashtra State Industrial Development
Corporation, Latur through Its Divisional
Officer, Latur and another

Respondents

Mr.Girish N. Kulkarni advocate for the applicants
Mr.P.S. Patil, AGP for Respondents

CORAM : R.M. BORDE &
P.R. BORA, JJ

Dated : 9th OCTOBER, 2015.

PER COURT :-

1 It is informed that rate of compensation awarded by the reference Court in the instant matter is Rs.22.50/- per sq. ft. In identical matters, Division Bench of this Court permitted withdrawal of 75% of the amount. In view of the order passed by the Division Bench of this Court in Civil Application No.7315/2014 in First Appeal No.282/2014 and other companion matters, we pass following order:-

Applicant is permitted to withdraw 25% of the total amount deposited on furnishing personal undertaking to this Court that in case applicant is directed to refund the amount, he will refund the

amount within one month from the date of issuance of such order.

Applicant is allowed to withdraw further 25% of the total amount deposited by furnishing solvent surety of the like amount.

Applicant is permitted to withdraw further 25% amount on submitting bank guarantee of the like amount of any nationalized or scheduled bank.

Remaining 25% amount shall be kept in fixed deposit initially for a period of three years and the fixed deposit receipt shall be renewed thereafter for a period until disposal of appeal.

2 It is needless to mention that copy of bank guarantee / undertaking as well as solvent security furnished to the Court shall be served on the learned counsel for respondent – MIDC within a period of two weeks from the date of withdrawal of amount.

3 Civil Application stands disposed of.

(P.R. BORA, J)

(R.M.BORDE, J)