

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

CIVIL APPLICATION NO. 7228 OF 2014
IN
FIRST APPEAL NO. 760 OF 2014

Ramchandra Maruti Kangude ... Applicant

Versus

The Executive Engineer,
Krishna Khore Mahamandal,
Minor Irrigation Division-1, Ahmednagar & anr. ... Respondents

WITH
CIVIL APPLICATION NO. 1073 OF 2015
IN
FIRST APPEAL NO. 496 OF 2014

Kacharu Malhari Pawar-deceased L.Rs.
1. Smt. Vithabai kacharu Pawar and others ... Applicants

Versus

The Executive Engineer,
Krishna Khore Mahamandal,
Minor Irrigation Division-1, Ahmednagar & anr. ... Respondents

WITH
CIVIL APPLICATION NO. 1074 OF 2015
IN
FIRST APPEAL NO. 868 OF 2014

Sau. Sushila Namdev Kale and another ... Applicants

Versus

The Executive Engineer,
Krishna Khore Mahamandal,
Minor Irrigation Division-1, Ahmednagar & anr. ... Respondents

Mr. D. R. Jayabhar, Advocate for applicants
Mr. G. B. Rajale, Advocate for respondent No.1
Mr. S. P. Daund, Asstt. Govt. Pleader for respondent No.2.

CORAM : M. T. JOSHI, J.
DATE : JANUARY 29, 2015

ORDER

1. Heard both sides.
2. Learned counsel for the applicants files on record, true copies of the orders passed in Civil Application No. 7224 of 2014 in First Appeal No.568 of 2014 and companion matters on 07-11-2014 and Civil Application No. 7234 of 2014 in First Appeal Stamp No. 30132 of 2014 and companion matters on 19-09-2014 respectively. Those are taken on record and marked as "X" and "X-1" for the purpose of identification.
3. Mr. Rajale, learned counsel for respondent No.1 i.e. appellant accepts the position that, in the companion matters arising out of the same land acquisition proceedings, this court has allowed withdrawal of the amount in the manner as is detailed in orders at "X" and "X-1" referred to above.
4. In the circumstances, following order;
 - (A) Applicants are entitled to withdraw 25% amount deposited by the Respondent/acquiring body before Reference Court, without furnishing any Bank Guarantee and/or surety.

(B) Remaining 75% amount can be withdrawn by the applicants/original claimants by furnishing Bank Guarantee of any Nationalised Bank to the satisfaction of the Reference Court, on undertaking that the Bank Guarantee will remain in force, till hearing and final disposal of these First Appeals.

5. All the connected appeals those are referred to in orders at "X" and "X-1" above, be kept together for final hearing along with present appeals.

6. Civil applications are disposed of.

(M. T. JOSHI, J.)

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