

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****CIVIL APPLICATION NO. 11410 OF 2015****IN****FIRST APPEAL NO. 2260 OF 2014**

Raghunath S/o Bapurao Mehtre

..APPLICNAT

VERSUSThe State of Maharashtra
and another

..RESPONDENTS

WITH**CIVIL APPLICATION NO. 11412 OF 2015****IN****FIRST APPEAL NO. 2264 OF 2014**Limbaji Namdeo Dhaigude
(deceased) through L.Rs.

..APPLICNATS

VERSUSThe State of Maharashtra
and another

..RESPONDENTS

WITH**CIVIL APPLICATION NO. 11414 OF 2015****IN****FIRST APPEAL NO. 2262 OF 2014**Laxmibai Prabhuappa Nigudge
(deceased) through her Lrs.

..APPLICNATS

VERSUSThe State of Maharashtra
and another

..RESPONDENTS

WITH
CIVIL APPLICATION NO. 11416 OF 2015
IN
FIRST APPEAL NO. 2263 OF 2014

Nivarti Bapurao Mehtre
(deceased) Through his L.Rs. ..APPLICNATS

VERSUS

The State of Maharashtra
and another ..RESPONDENTS

WITH
CIVIL APPLICATION NO. 11418 OF 2015
IN
FIRST APPEAL NO. 2265 OF 2014

Narhari Sambhaji Katke
(deceased) Through his L.Rs. ..APPLICNATS

VERSUS

The State of Maharashtra
and another ..RESPONDENTS

WITH
CIVIL APPLICATION NO. 11420 OF 2015
IN
FIRST APPEAL NO. 909 OF 2015

Vimalbai Dnyanoba Reddy &
Dnyanoba Hanmant Reddy
Both (died) through their L.Rs. ..APPLICNATS

VERSUS

The State of Maharashtra
and another ..RESPONDENTS

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Advocate for Applicant : Mr. V. D. Gunale h/f Mr. Patil
Mahesh S.
AGP for Respondent/State : Mr. S.K. Kadam

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CORAM : S.S. SHINDE & A.M. BADAR, JJ.
Dated: September 16, 2015
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PER COURT :-

1. For the reasons recorded in Civil Application No. 1065/2011 decided by Division bench of this Court on 23.09.2011, instant applications also deserve to be allowed and the same are accordingly allowed.

2. The applicants are permitted to withdraw 50% of the total amount deposited in the Registry of this Court by the Respondent-Acquiring Body. Out of the said 50% amount, which is permitted to be withdrawn, half of the amount, is permitted to be withdrawn without furnishing security. Balance amount from the amount which is permitted to be withdrawn, is permitted to be withdrawn on furnishing bank guarantee of Nationalised or Scheduled bank for the like amount. Bank guarantee shall be kept alive till final disposal of appeals. Applicants also shall furnish undertaking in this Court to the effect that in the event of success of appeals, applicants shall return back the amount within a period of twelve weeks from the date of such decision.

3. However, we make it clear that, the applicants

are permitted to withdraw only 50% amount of the total amount deposited by the Respondent - Acquiring Body in the Registry of this Court.

4. Civil applications stand disposed of accordingly.

(**A.M. BADAR, J.**)

(**S.S. SHINDE, J.**)

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