

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

**CIVIL APPLICATION NO. 11718 OF 2015
IN
FIRST APPEAL NO. 967 OF 2014**

Sujata Bhalchandra Kango and ors. .. Applicants

Versus

The State of Maharashtra and another .. Respondents

**WITH
CIVIL APPLICATION NO. 11758 OF 2015
IN
FIRST APPEAL NO. 966 OF 2014**

Sujata Bhalchandra Kango and ors. .. Applicants

Versus

The State of Maharashtra and another .. Respondents

Shri Ajit D. Kasliwal, Advocate for Applicants in both matters.

Shri D. R. Korde, A.G.P. for the Respondent No. 1 in both matters.

Mrs. R. R. Mane, Advocate for the Respondent No. 2

CORAM : S. V. GANGAPURWALA, J.

DATE : 11TH SEPTEMBER, 2015.

PER COURT :

. These are the applications for withdrawal of amount. Mrs. Mane, the learned counsel for the non applicant No. 2 opposes

the applications on the ground Reference Court has granted exorbitant enhancement. The comparable sale instances are not properly considered.

2. Today the award is in favour of applicants. Considering the above, I pass the following order.

3. The applicants are allowed to withdraw 50% of the amount deposited on submitting an undertaking to this Court that, in the event the applicants are directed to deposit the amount, the applicants shall redeposit the same within a period of one month. The applicants are further allowed to withdraw remaining 50% of the amount deposited on submitting solvent security/surety of the like amount. The civil applications are disposed of.

[S. V. GANGAPURWALA, J.]

bsb/Sept. 15