

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

**CIVIL APPLICATION NO. 12949 OF 2015
IN
FIRST APPEAL NO. 2214 OF 2015**

Bhaulal Nandram Shihare .. Applicant

Versus

The State of Maharashtra and others .. Respondents

Shri Arun H. Koralkar, Advocate for the Applicant.

Shri A. M. Phule, A.G.P. for Respondent Nos. 1 and 2.

Mrs. Kalpalata Bharaswadkar, Advocate for the Respondent No. 3.

Shri R. D. Biradar, Advocate for the Respondent.

WITH

C. A. NO. 12950 OF 2015 IN F. A. NO. 2474 OF 2015

C. A. NO. 12951 OF 2015 IN F. A. NO. 2213 OF 2015

C. A. NO. 12952 OF 2015 IN F. A. NO. 2479 OF 2015

C. A. NO. 12953 OF 2015 IN F. A. NO. 2477 OF 2015

C. A. NO. 12954 OF 2015 IN F. A. NO. 2475 OF 2015

C. A. NO. 12955 OF 2015 IN F. A. NO. 2476 OF 2015

C. A. NO. 12956 OF 2015 IN F. A. NO. 2478 OF 2015

CORAM : S. V. GANGAPURWALA, J.

DATE : 09TH OCTOBER, 2015.

PER COURT :

. These are the applications for withdrawal of amount. The first appeals are already admitted. It is submitted that, in First

Appeal No. 1037 of 2015 entire amount as directed by the Court is not deposited. The order is conditional order.

2. Mr. Biradar, the learned counsel for the non applicant/acquiring body opposes the applications on the ground that the Reference Court has granted exorbitant compensation amount.

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

4. The applicants are allowed to withdraw 50% of the amount deposited on submitting an undertaking to this Court that, in the event the appeals are allowed and the applicants are directed to deposit the amount, they shall deposit the same within one month. The applicants are further allowed to withdraw 25% of the amount deposited on submitting solvent security/surety of like amount. The remaining 25% of the amount shall be kept in fixed deposit of any nationalized bank. The civil applications are disposed of.

[S. V. GANGAPURWALA, J.]