

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

**CIVIL APPLICATION NO. 12931 OF 2015
IN
FIRST APPEAL NO. 1033 OF 2015**

Narayan Raoji Dutonde .. Applicant

Versus

The State of Maharashtra and others .. Respondents

Shri Arun H. Koralkar, Advocate for the Applicant.

Shri S. M. Morampalle, 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. 12932 OF 2015 IN F. A. NO. 1037 OF 2015

C. A. NO. 12933 OF 2015 IN F. A. NO. 1036 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.]