

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO. 363 OF 2015
IN X-APL/1/2015 WITH FA/941/2011

NAWAB AZIZ ALI, DIED, THROUGH Lrs. SAYED AJGAR
SAYED NAWAB AND ORS
VERSUS
THE REGIONAL OFFICER, MIDC, LATUR AND OTHERS

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Mr.S.P.Deshmukh, advocate for applicants

Mr.S.S.Dande, advocate for respondent no.1

Mr.S.P.Dound, AGP for respondent nos.2 and 3

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CORAM : M.T. JOSHI, J.
DATE : FEBRUARY 24, 2015

PER COURT :

Heard both sides.

2] Mr.Dande, learned counsel for respondent no.1, submits that he has taken instructions in view of the earlier order dated 19th January, 2015, and it is found that First Appeal Nos.1730 of 2008 and 2737 of 2010 are already filed against the award passed the Land Acquisition Reference mentioned in the earlier order. He submits that Cross Appeal

No.1 of 2015 is also filed. He submits all these appeals be kept with present appeal.

3] Since all these appeals are also arising out of the same proceedings, the same be kept together with present appeal.

4] Mr.Dande further submits that the in First Appeal No.2737 of 2010, permission to withdraw the amount, on certain conditions, is granted. He files on record the true copy of that order. The same is taken on record and Marked as "X" for identification.

5] In the circumstances, considering the facts on record, similar order can be passed in the present application also.

6] Hence, the following order :-

. The applicants are allowed to withdraw 25% of the amount, on furnishing undertaking to this Court that in the event the appeal is allowed, the applicants would redeposit the said amount within a period of one month. The applicants are also allowed to withdraw 25% of the amount on furnishing solvent security of the like amount. The remaining amount shall be kept in the fixed deposit of any nationalised bank. The Civil Application is disposed of accordingly.

[M.T. JOSHI, J.]