

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 16303 OF 2015  
IN FA/874/2014

MADHAV BHAU SATHE AND OTHERS  
VERSUS  
THE EXECUTIVE DIRECTOR, KRISHNA KHORE MAHAMANDAL THR EXE ENGINEER  
AND ANOTHER

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Advocate for Applicants : Mr. Rajendra K. Temkar.  
Advocate for Respondent No.1 : Mr. G.B. Rajale.  
Addl. G.P. for Respondent No.2 : Mr. S. B. Yawalkar.

CORAM : A.M. BADAR, J.  
DATE : 16th DECEMBER, 2015.

**PER COURT:**

1] This is an application for withdrawal of the amount of compensation deposited before the Reference Court, by the non applicant/appellant/acquiring body.

2] Heard learned counsel for the parties. Learned counsel for the applicants/respondent submits that this Court by order dated 23.10.2015 has directed withdrawal of amount of compensation, in companion appeals. Shri Rajale, learned counsel for the non applicant/appellant fairly admits that in companion appeals, there is order of permitting withdrawal of the amount of compensation.

3] Hence, the following order. :-

i] The applicants are allowed to withdraw 50% of the amount deposited on submitting an undertaking to the executing Court that,

in the event appeal is allowed and the applicants are directed to deposit the amount, they shall deposit the same within a period of one month. The applicants are further allowed to withdraw 25% of the amount deposited on submitting solvent security / surety of the like amount.

ii] Remaining 25% of the amount deposited be kept in fixed deposit of any nationalized bank.

The Civil Application is disposed of.

**[A.M. BADAR, J]**

grt/-