

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1910 OF 2015
IN
FIRST APPEAL NO.1333 OF 2009
WITH
CIVIL APPLICATION NO.1911 OF 2015
IN
FIRST APPEAL NO.151 OF 2010**

Shri Kishorilal Gopikisan Kasat
Since deceased through his legal
Representatives:

1A Smt. Asha Kishorilal Kasat & Anr. ...Applicants

In the matter between

The State of Maharashtra & Anr. Appellants.

Versus

Kishorilal Gopikisan Kasat
Since deceased through his legal
Representatives:

1A Smt. Asha Kishorilal Kasat & Anr. ...Respondents

**WITH
CIVIL APPLICATION NO.1887 OF 2009
IN
FIRST APPEAL NO.1333 OF 2009**

The State of Maharashtra & Anr. ...Applicants

Versus

Kishorilal Gopikisan Kasat
Since deceased through his legal
Representatives:

1A Smt. Asha Kishorilal Kasat & Anr. ...Respondents

.....
Mr. T.D. Deshmukh for the Applicants.
Mr. A.R. Patil, Asst. Govt. Pleader for the State.

CORAM : MRS. MRIDULA BHATKAR, J.

DATE : 26th AUGUST, 2015.

P. C. :

These applications are made for seeking permission to withdraw the entire amount of compensation alongwith the interest accrued thereon, which is deposited by State Government with the learned District Court, Pune, in Land Acquisition Reference Nos.220 of 1991 and 221 of 1991.

2. Learned counsel for the Applicants submits that the State Government has deposited the entire amount of the award. These Appeals are filed by the State Government.

3. Learned Asstt. Govt. Pleader for the State opposes the civil applications.

4. In view of the submissions made by the learned counsel

for the Applicants and considering the facts, I am inclined to grant the withdrawal of the entire amount on condition that 50% of the said amount is allowed to be withdrawn on giving an undertaking to the satisfaction of the trial Court and 50% of the amount is allowed to be withdrawn on furnishing solvent surety to the satisfaction of the trial Court.

5. All these applications stand disposed of.

(MRS. MRIDULA BHATKAR, J.)