

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

**CIVIL APPLICATION NO. 860 OF 2016
IN
FIRST APPEAL NO. 2544 OF 2015**

Yeshwant Shamrao Chirkhe APPLICANT

V E R S U S

**The Exe.Engineer, Lower Dudhana
Project Division, Sailu & Ors. RESPONDENTS**

**WITH
CIVIL APPLICATION NO. 861 OF 2016
IN
FIRST APPEAL NO. 3220 OF 2015**

Gayabai Ramrao Chirkhe APPLICANT

V E R S U S

**The Exe.Engineer, Lower Dudhana
Project Division, Sailu & Ors. RESPONDENTS**

.....

Mr. A.H.Koralkar, Advocate for Applicant.

Mr. B.R.Surwase, Advocate for R. No.1

Mr. S.R.Yadhav, Mr. C.V.Dharurkar,

A.G.P. for R.No. 2 - State.

.....

CORAM : T.V.NALAWADE, J.

DATE : 12th FEBRUARY, 2016

ORAL ORDER :-

. The applications are filed by the original claimants for permission to withdraw the amount. Learned counsels for both sides are heard.

2. Seen the Judgment and Award of the Reference Court.

3. It appears that the sale instances of the year 2000 are considered when the notification u/s 4 of the Land Acquisition Act is published on 22/07/1999. However, some other matter was decided and that is considered by the Reference Court. Subject to the same conditions, permission can be granted to the applicants for withdrawal of the amount.

4. In view of the aforesaid circumstances, 75% amount is to be released in favour of the applicants and subject to undertaking of giving solvent surety of remaining 25% amount, the same be released in favour of the applicants.

5. Civil Applications are disposed of.

[T.V.NALAWADE, J.]