

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

**CIVIL APPLICATION NO. 1625 OF 2016
IN
FIRST APPEAL NO. 3087 OF 2015**

Chandrakant Baburao Mane APPLICANT

V E R S U S

M.I.D.C., Latur & Anr. RESPONDENTS

**WITH
CIVIL APPLICATION NO. 1626 OF 2016
IN
FIRST APPEAL NO. 3088 OF 2015**

Dattatraya Baburao Mane APPLICANT

V E R S U S

M.I.D.C., Latur & Anr. RESPONDENTS

**WITH
CIVIL APPLICATION NO. 1627 OF 2016
IN
FIRST APPEAL NO. 3086 OF 2015**

Kamlakar Baburao Mane APPLICANT

V E R S U S

M.I.D.C., Latur & Anr. RESPONDENTS

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Mr. V.D.Sapkal h/f L.C.Patil,
Advocate for Applicant.

Mr. S.S.Dande, Advocate for R.No. 1.

Mr. S.R.Yadhav, A.G.P. for R.No. 2.

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CORAM : T.V.NALAWADE, J.

DATE : 9th FEBRUARY, 2016

ORAL ORDER :-

. The applications are filed for permission to withdraw the compensation amount deposited by the acquiring body. Today copy of the order made by this Court dated 27/03/2015 in C.A. No. 2321 of 2015 in F.A. No. 2091 of 2014 along with connected matters is produced.

2. It appears that this court has allowed to withdraw some amount subject to some conditions. Learned counsel for original claimant submitted that he wants liberty to give bank guarantee in place of solvent surety. So, the following order is made which is in terms of para Nos. 3,4 and 5 of the Order dated 27/03/2015 passed by this Court in C.A. No. 2321 of 2015 in F.A. No. 2091 of 2014 along with connected matters, which reads as under :

“(3) The applicants shall be permitted to withdraw 25% of the amount out of the amount deposited by the acquiring body/appellant in this court on furnishing undertaking to the effect that in the event of success of appeals, the applicants would re-deposit the amount in this

Court within a period of 12 weeks from such decision. Further a sum of Rs. 25% out of the amount deposited by the acquiring body in this Court shall be permitted to be withdrawn by the applicants on furnishing solvent security for the like amount.

(4) The balance amount of 50 % out of the amount deposited by the acquiring body in this court shall be deposited in fixed deposit in any nationalized bank, initially for a period of three years. The fixed deposit shall be renewed thereafter until disposal of the appeal.

(5) With the directions as above, civil applications stand disposed of ”.

3. Option is given to the original claimant to give bank guarantee of aforesaid 25% amount or to give solvent surety.

4. All Civil Applications are disposed of.

[T.V.NALAWADE, J.]

