

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

**Civil Application No.2493 of 2014
In
First Appeal No.125 of 2014**

Sahebrao s/o Bhimrao Nalwade. .. **Applicant.**

Versus

The Executive Engineer,
Sina-Kolegaon Project, Paranda
And Another. .. **Respondents.**

Shri. A.R. Davakate, Advocate, for applicant.

Shri. G.B. Rajale, Advocate, for respondent No.1.

Shri. C.V. Dharurkar, Assistant Government Pleader, for
respondent No.2.

CORAM: T.V. NALAWADE, J.

DATE : 29th FEBRUARY 2016

ORDER:

1) The application is filed by the original claimants for permission to withdraw the compensation amount deposited by the appellant. It appears that in Civil Application No.10448/2013 this Court had directed the acquiring body to deposit only 25% of the

compensation amount awarded by the Reference Court. This Court has gone through the judgment and award of the Reference Court both in respect of the land and the tress. This Court holds that permission needs to be granted to withdraw the amount subject to giving undertaking by the applicants.

2) So the application is allowed. Release the amount subject to giving undertaking. Liberty to the applicants to move application in view of the other contents of the application.

Sd/-
(T.V. NALAWADE, J.)

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