

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

935 CIVIL APPLICATION NO. 3355 OF 2016
IN FAST/16317/2015
WITH CA/3357/2016 IN FAST/16304/2015
WITH CA/3358/2016 IN FAST/16297/2015
WITH CA/3360/2016 IN FAST/16348/2015

DAYARAM MANSARAM SAMBRE DECEASED THR LEGAL HEIRS
DNYANESHWAR DAYARAM SAMBRE AND OTHERS
VERSUS

MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION THR ITS
AREA MANAGER, JALGAON AND OTHERS

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Advocate for Applicants : Mr. Tripathi Sushilkumar H.
AGP for Respondents 2 to 4 State : Mr. S. R. Yadav
Advocate for Respondent No.1 : Mr. S. S. Dande

CORAM : V. K. JADHAV, J.

DATE : 16th March, 2016

PER COURT :

1. Heard both sides.
2. This Court, by order dated 03.03.2016 in Civil Application No.2656/2016 in First Appeal St. No.16385/2015, allowed the claimant therein to withdraw the amount of compensation. Learned counsel for the applicant submits that these matters are also arising out of the same group. The same is not disputed by the learned counsel for the other side. The learned counsel for the applicants submits that the applicants/original claimants herein have already filed execution petition before the learned Civil Judge, Senior Division, Bhusawal.
3. In view of this, same course is adopted in the present matters for granting permission to the applicants

to withdraw the amount of compensation deposited before this Court by respondent No.1/ Acquiring body in response to the order passed by this Court dated 16.10.2015. Hence following order:

O R D E R

- i. The applicants are allowed to withdraw 25% of the amount on furnishing undertaking to this Court that in the event the applicants are required to deposit the amount, they would deposit the same within one month.
- ii. The applicants are allowed to withdraw 50% of the amount on furnishing solvent security of the said amount.
- iii. The applicants are allowed to withdraw 25% of the amount on furnishing bank guarantee of the said amount.
- iv. Civil applications are accordingly disposed of.

(V. K. JADHAV, J.)

JPC