

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 8688 OF 2016
IN
FIRST APPEAL STAMP NO. 16373 OF 2015

BALIRAM EKNATH YEWALE DECEASED THR LEGAL HEIRS
PADMABAI BALIRAM YEWALE AND OTHERS
VERSUS
M.I.D.C., THR ITS AREA MANAGER, JALGAON AND OTHERS

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Advocate for the applicants : Mr. Tripathi Sushilkumar H.
Advocate for respondent No.1 : Mr. S. S. Dande
Advocate for respondent Nos.2 to 4 : Mr. S. R. Yadav
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CORAM : V. K. JADHAV, J.
DATE : 17/06/2016

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, and by order dated 16.03.2016 in Civil Application No.3411/2016 in First Appeal St. No.10092/2015, allowed the claimants therein to withdraw the amount of compensation. Learned counsel for the applicants submits that this matter is also arising out of the same acquisition proceedings. 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 matter 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 :

ORDER

- 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 Application is accordingly disposed of.

(V. K. JADHAV, J.)

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