

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3737 OF 2016
IN FA/219/2016

SHAIKH ABDUL RAHEMAN MIYABHAI AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicant : Mr. M.G. Biradar h/f Mr. P.R. Katneshwarkar
AGP for Respondents 1 and 2: Mr. K.D. Mundhe
Advocate for Respondent No.3 : Mr. S.P. Sonpawle
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CORAM : V. K. JADHAV, J.
DATED : 27th APRIL, 2016

PER COURT:-

1. Heard both sides.
2. Learned counsel for the applicants-original claimants submits in view of amicable settlement between the claimants on one side and acquired body and State on other side, in L.A.R. No. 88 of 2006 in the Lokadalat, the Reference Court in this appeal has awarded compensation at the same rate, as settled in the said amicably settled L.A.R. No. 88 of 2006. Learned counsel appearing for the respondent acquiring body submits that since the appeal is preferred by the acquiring body, the applicants may be permitted to withdraw the amount to the extent of 75% by furnishing undertaking and remaining 25% by furnishing solvent surety to that extent.

3. In view of the above submission, the claimants are permitted to withdraw the amount deposited before this Court to the extent of 75% on furnishing undertaking to the satisfaction of Registrar (Judicial) of this Court and also permitted to withdraw the remaining amount of 25% by furnishing solvent surety to the satisfaction of Registrar (Judicial) of this Court.

4. Civil application is accordingly disposed of.

(V. K. JADHAV, J.)

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