

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

9 CIVIL APPLICATION NO. 3702 OF 2016
IN FA/2972/2015

RAMESH PRALHADRAO NIRVAL AND OTHERS
VERSUS
THE EXECUTIVE ENGINEER, LOWER DUDHNA PROJECT, SELU
NOW JALNA IRRIGATION DEPT. JAL

...
Advocate for Applicants : Mr. Kakade Deepak M.
Mr. B R Surwase For R/1;
Mr. RB Bagul, AGP For R/2

...
CORAM : P.R. BORA, J.
Dated: March 30, 2016
...

PER COURT :-

1) The applicants, i.e. original claimants have filed the present application seeking permission to withdraw the amount of compensation deposited by Respondent No.1, i.e. appellant in the present appeal in this Court.

2) Learned Counsel appearing for the original claimants submitted that in connected matters, this court had permitted the original claimants to withdraw 75% of the amount deposited in the court. The learned counsel has filed on record one of such order dated 8th March, 2016 passed in CA No.386/2016

BDV

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

in FA No.3259/2015.

3) Learned Counsel appearing for the appellant is not disputing the aforesaid fact.

4) In view of the submission so made, following order, -

i) The Civil Application is partly allowed;

ii) The applicants are permitted to withdraw 50% of the amount deposited in this court on furnishing an undertaking to the satisfaction of the Registrar of this court;

iii) The balance 25% of the amount of 75% shall be paid to the applicants on furnishing solvent security in the like amount;

iv) The balance 25% of the total amount shall be invested in FDR in a Nationalized Bank till disposal of the first appeal.

(P.R. BORA, J.)

...