

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 4248 OF 2016  
IN FA/1193/2016

LAXUMAN VITHOBA SURKUTE  
VERSUS  
THE MIDC THR ITS REGIONAL OFFICER AT LATUR AND ANR

...  
Advocate for Applicant : Mr. Irpatgire A. N.  
Advocate for Respondents : Mr. S.S. Dande  
AGP for respondent No.2: K.D. Mundhe  
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**CORAM : V. K. JADHAV, J.**  
**DATED : 1<sup>st</sup> APRIL, 2016**

**PER COURT:-**

1. Heard.
2. This is an application seeking withdrawal of amount deposited by the M.I.D.C. in this Court towards enhanced compensation. Considering the contentions raised by the applicant, the application needs to be allowed and the same is accordingly allowed partly.
3. The applicant shall be permitted to withdraw 25% of the amount out of the amount deposited by the acquiring body/appellant in this court on furnishing undertaking to the effect that in the event of success of appeal, the applicant would re-deposit the amount in this Court within a period of 12 weeks from such decision. Further a sum of Rs.25% out of the amount deposited by the acquiring body in this

Court shall be permitted to be withdrawn by the applicant on furnishing solvent security for the like amount.

4. The balance amount of 50% out of the amount deposited by the acquiring body in this court shall be deposited in fixed deposit in any Nationalized Bank, initially for a period of three years. The fixed deposit shall be renewed thereafter until disposal of the appeal.

5. With the directions as above, civil application stands disposed of.

**( V. K. JADHAV, J.)**

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