

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

983 CIVIL APPLICATION NO. 10480 OF 2016
IN FA/465/2015 WITH CA/15644/2013 IN FA/465/2015

VISHWAMBHAR NARSING SHAHABADE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicants : Mr. VV Ingale, Adv. h/for
Mr. Patil Mahesh S.

Mr. SN Morampalle, AGP for Respondents:1.

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CORAM : P.R. BORA, J.

Dated: July 29, 2016

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PER COURT :-

1) Heard. Considering the contentions raised in the application for withdrawal of amount and the objections raised by the acquiring body in the memo of appeal in exception to the Award, I deem it appropriate to pass the following order, -

ORDER

i) The applicants in respective applications are permitted to withdraw 50% of the amount deposited by the acquiring body in this court on submitting an undertaking that in the event any adverse order is passed against them in the appeals,

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they will re-deposit the amount within four months of passing such order.

ii) Balance 50% amount be invested in a Fixed Deposit Receipts in any Nationalized Bank, initially for a period of three years and to be renewed if so required till disposal of the appeals.

iii) The Civil Application for withdrawal of the amount is partly allowed and disposed of.

2) In view of the fact that the appellant acquiring body has deposited the entire amount under the Award, the interim stay granted earlier stands confirmed. Civil Application for Stay disposed of.

(P.R. BORA, J.)

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