

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 5767 OF 2016
IN FA/704/2014

RATAN NANA FAJAGE, L.RS. ASHOK AND ANOTHER
VERSUS
THE EXECUTIVE ENGINEER, LOWER DUDHNA PROJECT DIVISION,
SAILU AND ANOTHER

...
Advocate for Applicants : Mr. Sonwane Mahesh R.
Advocate for Respondent No.1 : Mr. B.R. Surwase
AGP for Respondent No.2: Mr. K.D. Mundhe
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CORAM : V. K. JADHAV, J.
DATED : 29th APRIL, 2016

PER COURT:-

1. Learned counsel submits that in connected matters this Court by order dated 12.6.2015 has permitted the applicants therein to withdraw the amount on certain conditions. Learned counsel submits that the present applicants may be permitted to withdraw the compensation amount in similar manner.
2. Learned counsel for the respondent acquiring body has no objection for the same.
3. In view of the above, civil application stands allowed on following terms:-

- I) It will be appropriate that the applicants herein are permitted to withdraw 50% of the amount deposited by the appellant upon furnishing an undertaking to the satisfaction of Registrar (Judicial) of this Court.

- II) So far as remaining 50% amount is concerned, the amount to the extent of 50% from the said amount is permitted to be withdrawn by the applicants upon furnishing bank guarantee of Nationalized Bank. Balance 50% amount be kept in fixed deposit in Nationalized Bank, initially for a period of three years.

(V. K. JADHAV, J.)

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