

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

907 CIVIL APPLICATION NO. 5111 OF 2016
IN FAST/17061/2015 WITH CA/5112/2016 IN
FAST/17037/2015 WITH CA/5114/2016 IN FAST/17057/2015

MADHAVRAO HAWANAPPA NUCHE
VERSUS
EXECUTIVE ENGINEER, VISHNUPURI PROJECT DIVISION
NANDED NOW LENDI PROJECT DIVISION

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Advocate for Applicant : Mr. Patil Prakashsing B.
Mr. B R Surwase, Adv. For R/1
Mr. NT Bhagat, AGP for Respondent No.2;

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CORAM : P.R. BORA, J.
Dated: April 20, 2016
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PER COURT :-

1) Heard the learned Counsel for the applicants/original claimants and learned counsel for the acquiring body.

2) Learned Counsel appearing for the acquiring body fairly submits that there may not be any difficulty in permitting the applicants to withdraw 80% of the amount deposited in this court since the dispute is only in respect of the award of interest. Hence, the following order, -

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ORDER

- i) The applications are allowed;
 - ii) The applicants/original claimants are permitted to withdraw 80% of the amount deposited in this Court by the acquiring body on submitting an undertaking that in the event any adverse order is passed against them, they will re-deposit the amount within next two months after passing such order.
 - iii) Balance 20% of the amount be invested in any nationalized Bank for the period till disposal of the appeal.
- 3) Civil Applications stand disposed of.

(P.R. BORA, J.)

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