

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

C.A. NO. 5757 OF 2016 IN F.A. (ST.) NO. 29081 OF 2015
C.A. NO. 5761 OF 2016 IN F.A. (ST.) NO. 28865 OF 2015
C.A. NO. 5762 OF 2016 IN F.A. (ST.) NO. 29121 OF 2015
C.A. NO. 5763 OF 2016 IN F.A. (ST.) NO. 29140 OF 2015
C.A. NO. 5764 OF 2016 IN F.A. (ST.) NO. 29137 OF 2015
C.A. NO. 5765 OF 2016 IN F.A. (ST.) NO. 29132 OF 2015
C.A. NO. 5766 OF 2016 IN F.A. (ST.) NO. 29128 OF 2015
C.A. NO. 5760 OF 2016 IN F.A. (ST.) NO. 29092 OF 2015
C.A. NO. 5759 OF 2016 IN F.A. (ST.) NO. 29086 OF 2015
C.A. NO. 5758 OF 2016 IN F.A. (ST.) NO. 29096 OF 2015
C.A. NO. 5768 OF 2016 IN F.A. (ST.) NO. 29099 OF 2015

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ASHOK VISHNU GAYKE AND OTHERS
VERSUS
THE EXECUTIVE ENGINEER, MAJALGAON LEFT HAND CANAL,
DIVISION NO.10, PARBHANI AND OTHERS

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Advocate for the applicant: Mr. Vitthal D. Bhise
Advocate for respondent No.1: Mr. B.R. Surwase
AGP for respondent No.2: Mr. K.N. Lokhande
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CORAM : V. K. JADHAV, J.
DATED : 29th APRIL, 2016

PER COURT:-

1. Heard.
2. This Court by order dated 1.4.2016 permitted the applicants original claimants to withdraw the amount deposited by the acquiring body on certain conditions. Learned counsel for the applicants submits that these appeals are arising out of the same acquisition proceedings and therefore, the applicants may be permitted to

withdraw the amount of compensation in the same manner.

3. Learned counsel appearing for the acquiring body admits the same and he has no objection if the applicants original claimants are permitted to withdraw the amount in the same manner as directed by this Court by order dated 1.4.2016 in civil application No. 3872 of 2016 in first appeal (st.) No. 29063 of 2015 with other connected matters.

4. In view of the above, the applicants are permitted to withdraw 80% of the amount deposited by the acquiring body in the respective appeals on furnishing an undertaking by the respective claimants that they will re-deposit the amount in the event of any adverse order passed against them, within the time which may be provided by this Court at the relevant time. The remaining 20% amount be invested in FDR for the period until disposal of the appeals.

5. The respective civil applications for withdrawal of the amount stand disposed of.

(V. K. JADHAV, J.)

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