

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

919 CIVIL APPLICATION NO. 8730 OF 2016
IN FAST/19983/2015

SHOBHA NAGNATH KANAME AND OTHERS
VERSUS
REGIONAL OFFICER MIDC LATUR

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Advocate for Applicants : Mr. Irpatgire A.N
Advocate for respondent No.1: Mr S. S. Dande
GP for Respondents State: Mr. A. B. Girase

**CORAM : R. M. BORDE &
K. L. WADANE, JJ.**

DATE : 17th June, 2016

ORDER:

1. This is an application tendered by the claimants for withdrawal of the amount deposited by the acquiring body. In view of the order in companion matter which has been dealt with by this Court, the instant application also can be disposed of in the same terms.

2. In the present matter, the Reference Court has awarded compensation @ Rs.14/- per sq. ft. In Civil Application No. 9552/2014 (in First Appeal St. No. 5832 /2014), where in the amount of compensation was awarded @ Rs.12/- per sq. ft., this Court permitted the applicants therein to withdraw the 75% amount out of the total amount deposited.

3. Considering the order passed in above referred

matter, we pass following order:

- i. The applicants shall be permitted to withdraw 25% of the amount out of the total amount deposited on furnishing personal undertaking to this Court that in the event of success of appeal, they will refund the amount within a period of one month from the date of issuance of such order.
 - ii. The applicants are permitted to withdraw further sum of 25% deposited, on furnishing solvent surety in the like amount.
 - iii. The applicants are permitted to withdraw further sum of 25% out of the amount deposited on furnishing Bank guarantee of a Scheduled Bank or Nationalized Bank in the like amount.
 - iv. Balance 25% amount out of the total amount deposited by the acquiring body in this Court shall be invested in fixed deposit receipts initially for a period of three years and the fixed deposit receipts be renewed thereafter until disposal of appeal.
4. Civil application stand disposed of accordingly.

(K. L. WADANE, J.)

(R. M. BORDE, J.)

JPC