

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 8648 OF 2016
IN
FIRST APPEAL (ST) NO. 16376 OF 2015

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KESHAV BARSU BHOLE DECEASED LEGAL HEIRS NILKANTH
KESHAV BHOLE AND OTHERS
VERSUS
MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION THR
ITS AREA MANAGER, JALGAON AND OTHERS

...
Advocate for Applicants: Mr. Tripathi Sushilkumar H.
Advocate for the respondent-acquiring body " Mr. S.S. Dande
AGP for respondent-State: Mr. G.O. Wattamwar
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CORAM : V. K. JADHAV, J.
DATED : 8th JULY, 2016

PER COURT:-

1. Heard both sides.
2. This Court by order dated 16.3.2016 in civil application No. 3410 of 2016 in first appeal St. No. 16361 of 2015 allowed the claimants therein to withdraw the amount of compensation. Learned counsel for the applicants submits that this matter is also arising out of the same group. The same is not disputed by the learned counsel for other side. Learned counsel for the applicants submits that the applicants-original claimants herein have already filed execution petition before the learned Civil Judge, Senior Division, Bhusawal.

3. In view of this, same course is adopted in the present matter for granting permission to the applicants to withdraw the amount of compensation deposited before this court by respondent No.1-acquiring body in response to the order passed by this Court dated 16.10.2015. Hence, the following order:-

O R D E R

- i. The applicants are allowed to withdraw 25% of the amount on furnishing undertaking in this Court that in the event the applicants are required to deposit the amount, they would deposit the same within one month from such direction.
- ii. The applicants are allowed to withdraw 50% of the amount on furnishing solvent security of the said amount.
- iii. The applicants are allowed to withdraw 25% of the amount on furnishing bank guarantee of the said amount.
- iv. Civil application is accordingly disposed of.

(V. K. JADHAV, J.)

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