

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

CA NO.10304/2016group

990 **CIVIL APPLICATION NO. 10304 OF 2016
IN FA/1538/2016
WITH
CA/16020/2015 IN FA/1540/2016
WITH
CA/16022/2015 IN FA/1538/2016
WITH
CA/16024/2015 IN FA/1541/2016
WITH
CA/16026/2015 IN FA/1539/2016
WITH
CA/10305/2016 IN FA/1539/2016
WITH
CA/10307/2016 IN FA/1540/2016
WITH
CA/10308/2016 IN FA/1541/2016**

SHAMRAO SARU KALE
VERSUS
THE EXECUTIVE ENGINEER, LOWER DUDHANA PROJECT
DIV. SELU, THR EXE ENGINEER, JALANA

...
Advocate for Applicant :Mr. Koralkar Arun H.
AGP for Respondent State:Mr.S.N.Morampalle
Mr.Bhalearao S.G., Advocate for R/1.

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CORAM : P.R. BORA, J.
Dated: July 22, 2016

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PER COURT :-

1. Heard learned Counsel appearing for the respective parties.

2. It is brought to my notice that in connected matters this Court has allowed the respective claimants in

AGP/-

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the said appeals to withdraw 75 per cent of the amount deposited in the said Court on furnishing an undertaking. Copy of the said order passed in Civil Application No.7918/2016 in FA No.1299/2016, along with the connected appeals, is placed on record. Learned Counsel appearing for the acquiring body has opposed for permitting withdrawal.

3. In view of the fact that in the connected matters, this Court has allowed respective claimants to withdraw 75 per cent amount on furnishing undertaking, I do not see any reason to take a contrary view. As such, following order is passed:

ORDER

1) The Civil Applications for withdrawal of amount are allowed. The applicants are permitted to withdraw 75 per cent of the amount deposited in the Court subject to furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court. Balance 25 per cent amount be kept in any nationalized bank in Fixed Deposit Receipts, initially for a period of two years, and if so required, to renew the said Fixed Deposit Receipts for further period, till disposal of the appeals.

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2) In view of the fact that the acquiring body has deposited entire amount under the award, the interim stay granted for execution of the impugned award stands confirmed. Civil Applications for grant of stay stand disposed of.

(P.R. BORA, J.)

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