

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CA NO.10657 of 2016gr

**937 CIVIL APPLICATION NO. 10657 OF 2016
IN FAST/29143/2015**

BALAJI NAFU GAYKE
VERSUS
THE EXECUTIVE ENGINEER, MAJALGAON CANAL DIVISION
NO.10 PARBHANI, UNDER GMIDC AURANGABAD

...
**939 CIVIL APPLICATION NO. 10999 OF 2016
IN FAST/29105/2015**

WITH
CA/11000/2016 IN FAST/29089/2015
WITH
CA/11001/2016 IN FAST/29149/2015
WITH
CA/11002/2016 IN FAST/29146/2015
WITH
CA/11003/2016 IN FAST/29108/2015

KISAN BAPU SURAVASE
VERSUS
THE EXECUTIVE ENGINEER, MAJALGAON CANAL DIVISION
NO.10 PARBHANI, UNDER GMIDC AURA

...
Advocate for Applicant : Mr.Bhise Vitthal D.
AGP for Respondent State:Mr.S.R.Yadav.
Mr.B.R. Surwase, Adv., for R/1.

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CORAM : P.R. BORA, J.
Dated: August 10, 2016

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PER COURT :-

1. Heard.
2. This Court by order dated 1.4.2016 permitted the applicants original claimants in civil application No. 3872 of 2016 in first appeal (st.) No. 29063 of 2015 with other connected matters to withdraw the amount

AGP/-

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(2)

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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.

(P.R. BORA, J.)

AGP/-