

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

1001 CIVIL APPLICATION NO.10688 OF 2016
IN FA/521/2016 WITH CA/8149/2015 IN FA/521/2016 WITH
CA/10689/2016 IN X-OBJST/6488/2016

RUPA RAMESH PATIL
VERSUS
MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION THR
ITS REGIONAL OFFICER LATUR AND

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Advocate for Applicant : Mr. Ingale Vivekanand V.
Mr. GS Khaire, Adv. h/for Mr. S.S. Dande, Adv. For
R/1

Mr. AM Phule, AGP for Respondents: 2;

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CORAM : P.R. BORA, J.

Dated: July 29, 2016

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PER COURT :-

1) Learned Counsel appearing for original claimant and acquiring body jointly submit that the order as has been passed in CA No.4646/2016 in FA Stamp No.18194/2015 and other connected matters by this Court on 15th April, 2016, be passed in the present application also since the present matter is also arising out of the same acquisition proceedings.

2) In view of the submission so made, following order, -

ORDER

(a) The applicant is allowed to withdraw 25% of the amount deposited on furnishing an undertaking to

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this Court that in the event the appeal is allowed, she would deposit the amount within one month from the date of decision in the appeal;

(b) The applicant is further allowed to withdraw 25% of the amount deposited on furnishing solvent security/surety of the like amount;

(c) The applicant is further allowed to withdraw 25% of the amount deposited on furnishing bank guarantee of scheduled bank of the like amount;

(d) Remaining 25% of the amount deposited be kept in Fixed Deposit Receipt of any Nationalized Bank.

3) The Civil Application for withdrawal of the amount is disposed of accordingly.

4) In view of the fact that the entire amount under the Award has been deposited by the acquiring Body, the interim stay granted on 15.1.2016 stands confirmed. Civil Application for stay is disposed of.

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5) For the reasons stated in the application, which according me are just and sufficient, delay of 12 days caused in filing Cross-objections, is condoned. Civil Application stands disposed of.

6) Cross-objection be taken on record.

(P.R. BORA, J.)

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