

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

18 CIVIL APPLICATION NO. 2030 OF 2016
IN FA/965/2010

ANANDA KALU MALI DIED THR LRS JAYAWANTA ANANDA MALI AND
OTHERS

VERSUS

THE DIVISIONAL OFFICER M.I.D.C., NASHIK AND OTHERS

...

Advocate for Applicants : Mr. Kale Ajeet B.

AGP for Respondent State: Mr. S. R. Yadav

Advocate for Respondent No.1 : Mr. S. S. Dande

CORAM : V. K. JADHAV, J.

DATE : 16th March, 2016

PER COURT :

1. Learned counsel for the applicants submits that this court, by order dated 22.06.2012 in Civil Application No. 1534/2012 in First Appeal No. 972/2010 and connected matters, allowed the applicants/claimants therein to withdraw the amount deposited by the acquiring body before this court. The learned counsel for submits that this appeal is also from the same group. Learned counsel appearing for the respondent No.1/ acquiring body has also admitted the same.

2. Thus, same course is adopted here also while permitting the applicants to withdraw the amount. Hence following order:

i. The applicants are allowed to withdraw 50% of the

amount deposited on furnishing an undertaking on affidavit, stating that in the event the appeal is allowed, then he would deposit the amount in the court within a period of eight weeks from the date of the judgment of this Court.

- ii. Remaining 50% amount is allowed to be withdrawn on furnishing Bank guarantee of any Scheduled Bank.
- iii. Civil application is accordingly disposed of.

(V. K. JADHAV, J.)

JPC