

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 11650 OF 2016
IN FA/221/2012

SANGRAM VAIJANATH WADKAR AND ORS
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION LATUR
AND ORS

...
Advocate for Applicants : Mr. Sakolkar Vijay G.
Advocate for Respondent No.1 : Mr. Smt. Geeta L. Deshpande
AGP for Respondents 2 and 3: Mr. A.R. Kale
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CORAM : V. K. JADHAV, J.
DATED : 26th SEPTEMBER, 2016

PER COURT:-

1. Learned counsel for the applicants brought to my notice the earlier order dated 18.01.2016 passed in civil application No. 398 of 2016 and other connected applications, thereby permitting the applicants therein to withdraw the amount. On perusal of aforesaid order dated 18.01.2016, it appears that, this Court (Coram: T.V. Nalawade, J.) has permitted the applicants-claimants therein to withdraw the amount to the extent of 75% on undertaking and remaining 25% on giving solvent surety. It thus appears that by order dated 18.01.2016 this Court has permitted the applicants therein to withdraw 100% amount.

2. By referring the aforesaid order dated 18.01.2016, this Court

on 6.5.2016 has permitted the applicants herein to withdraw the amount to the extent of 50% on undertaking and 25% on solvent surety and further directed that remaining 25% amount shall be kept in fixed deposit in any Nationalized Bank. It is submitted by learned counsel for the parties that the present civil application and the civil applications in which order dated 18.01.2016 is passed, arise out of the same acquisition proceedings. In view of above, I agree that there must be uniformity in the orders in respect of withdrawal of the amounts in the matters arising out of same acquisition proceedings.

3. For the aforesaid reasons, present civil application seeking modification in the order dated 6.5.2016 is allowed in terms of prayer clauses "B" and "C". The application is accordingly disposed of.

(V. K. JADHAV, J.)

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