

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.12793 OF 2013 IN
FIRST APPEAL NO.1168 OF 2014

M.I.D.C., Latur

Applicant

Versus

Dr.Nagnath s/o Kumarappa Mashalkar,
died, through his LRs & another

Respondents

Mr.S.B.Bhosale, advocate for applicant.
Mr.S.V.Natu, advocate for Respondents No.1a to 1c.
Mr.S.S.Dande, A.G.P. for Respondent No.2.

WITH
CIVIL APPLICATION NO.12795 OF 2013 IN
FIRST APPEAL NO.1167 OF 2014

M.I.D.C., Latur

Applicant

Versus

Trimbak s/o Sangramappa Kadge,
died, through his LRs & another

Respondents

Mr.S.B.Bhosale, advocate for applicant.
Mr.S.V.Natu, advocate for Respondents No.1a to 1c & 2.
Mr.B.V.Virdhe, A.G.P. for Respondent No.3.

WITH
CIVIL APPLICATION NO.12797 OF 2013 IN
FIRST APPEAL NO.1166 OF 2014

M.I.D.C., Latur

Applicant

Versus

Bharat s/o Trimbak Malwadkar
and another

Respondents

Mr.S.B.Bhosale, advocate for applicant.
Mr.S.V.Natu, advocate for Respondent No.1.
Mr.S.K.Kadam, A.G.P. for Respondent No.2.

**CORAM : R.M.BORDE &
A.I.S.CHEEMA, JJ.
DATE : 12th February, 2016**

PER COURT:

Since the directions issued by this Court in respect of deposit of amount are complied with, applications are disposed of.

**A.I.S.CHEEMA
JUDGE**
adb/ca1279313

**R.M.BORDE
JUDGE**

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.1678 OF 2016 IN
FIRST APPEAL NO.1168 OF 2014

Smt.Pratibha w/o Nagnath Mashalkar
and others

Applicants

Versus

M.I.D.C., Latur & another

Respondents

Mr.S.V.Natu, advocate for applicants.
Mr.S.B.Bhosale, advocate for Respondent No.1.
Mr.S.S.Dande, A.G.P. for Respondent No.2.

WITH
CIVIL APPLICATION NO.1679 OF 2016 IN
FIRST APPEAL NO.1167 OF 2014

Smt.Shakuntalabai w/o Trimbakappa
Kadge & others

Applicants

Versus

M.I.D.C., Latur & another

Respondents

Mr.S.V.Natu, advocate for applicants.
Mr.S.B.Bhosale, advocate for Respondent No.1.
Mr.B.V.Virdhe, A.G.P. for Respondent No.2.

WITH
CIVIL APPLICATION NO.1511 OF 2016 IN
FIRST APPEAL NO.1166 OF 2014

Bharat s/o Trimbak Malwadkar

Applicant

Versus

M.I.D.C., Latur & another

Respondents

Mr.S.V.Natu, advocate for the applicant.
Mr.S.B.Bhosale, advocate for Respondent No.1.
Mr.S.K.Kadam, A.G.P. for Respondent No.2.

**CORAM : R.M.BORDE &
A.I.S.CHEEMA, JJ.
DATE : 12th February, 2016**

PER COURT:

1 Leave to add.

2 The applicants are seeking withdrawal of amount in accordance with the order passed by the Supreme Court in Civil Appeals No.13967, 13968 and 13973 of 2015, decided on 30.11.2015. This Court, while passing the order on 30.01.2015, on the Civil Applications tendered by applicants in First Appeals No.1166, 1167 & 1168 of 2014, permitted the applicants to withdraw 50% amount out of the amount deposited by the appellant – acquiring body in this Court. The applicants were permitted to withdraw 25% amount out of the amount deposited by the acquiring body in this Court on furnishing Bank guarantee, whereas, balance 25% amount was permitted to be withdrawn on furnishing undertaking.

3 In view of the directions issued by the Supreme Court in the appeals referred to above, the applicants are permitted to withdraw 50% of the enhanced compensation granted to the claimants without security, whereas, balance 50% amount is permitted to be withdrawn on furnishing security to the satisfaction of the Collector. In this view of the matter, the applicants were permitted to withdraw the balance 50% amount deposited in Fixed Deposit in accordance with the directions issued

by this Court on 30.01.2015 on furnishing security to the satisfaction of the Collector. The Bank guarantee already furnished by the applicants while withdrawing 25% of the amount, in accordance with the order passed by this Court, stands discharged and shall be returned back.

4 The applicants shall be permitted to withdraw interest accrued on the amount deposited in Fixed Deposit in accordance with the directives issued by the Division Bench of this Court on 30.01.2015 on furnishing security to the satisfaction of the Registrar (Judicial) of this Court.

5 With these directions, Civil Applications stand disposed of.

A.I.S.CHEEMA
JUDGE

adb/ca1279313

R.M.BORDE
JUDGE