

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 12889 OF 2016
IN FA/342/2015

VITTHAL TUKARAM BIRAJDAR
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
with

CIVIL APPLICATION NO. 12891 OF 2016
IN FA/343/2015

ANANT TUKARAM BIRAJDAR
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...

Advocate for Applicant : Mr.N.B. Khandare
AGP for Respondent No.1:Mr.S.G. Karlekar.
Adv. For respondent No.2 : Mr. S.S. Dande.

. . .

CORAM : R.M. BORDE &
K.K. SONAWANE, JJ.

DATE : 30TH SEPTEMBER, 2016.

PER COURT:

1] Heard.

2. These are the applications seeking withdrawal of amount deposited by the M.I.D.C. in this Court towards enhanced compensation. Considering the contentions raised by the applicants, the applications need to be allowed and the same are accordingly allowed partly.

3. The applicants shall be permitted to withdraw 25% of the amount out of the amount deposited by the acquiring body/appellant in this court on furnishing undertaking to the effect that in the event of success of appeals, the applicants would re-deposit the amount in this Court within a period of 12 weeks from such decision. Further a sum of Rs.25% out of the amount deposited by the acquiring body in this Court shall be permitted to be withdrawn by the applicants on furnishing solvent security for the like amount.
4. The balance amount of 50% out of the amount deposited by the acquiring body in this court shall be deposited in fixed deposit in any Nationalized Bank, initially for a period of three years. The fixed deposit shall be renewed thereafter until disposal of the appeal.
5. With the directions as above, civil applications stand disposed of.

[K.K.SONAWANE]
JUDGE

[R.M. BORDE]
JUDGE

grt/-