

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CA NO.12954/2016gr

**909 CIVIL APPLICATION NO. 12954 OF 2016
IN FA/1327/2016**

WITH
CA/13246/2016 IN FA/1322/2016
WITH
CA/13247/2016 IN FA/1324/2016
WITH
CA/13248/2016 IN FA/1325/2016

MADHAVRAO ABASAHEB NAJAN AND ANOTHER
VERSUS
THE EXECUTIVE ENGINEER, NIMNA DUDHNA PROJECT
AND ORS

...
Advocate for Applicants : Mr.Bhise Vitthal D.
AGP for Respondent State: Mr. S.P.Deshmukh
Mr.S.C. Arora, Adv., for R/1.

...
**910 CIVIL APPLICATION NO. 13028 OF 2016
IN FA/1323/2016**

SUDAM TUKARAM KHOSE
VERSUS
THE EXECUTIVE ENGINEER, NIMNA DUDHNA PROJECT
AND ORS

...
Advocate for Applicant : Mr.Bhise Vitthal D.
AGP for Respondent State: Mr. S.N.Morampalle
Mr.S.C. Arora, Adv., for R/1.

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**2 CIVIL APPLICATION NO. 13010 OF 2016
IN FA/1326/2016**

SOMESHWAR SOPAN SHEVALE AND OTHERS
VERSUS
THE EXECUTIVE ENGINEER, NIMNA DUDHNA PROJECT
AND ORS

AGP/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(2) CA NO.12954/2016gr

...
Advocate for Applicants : Mr.Bhise Vitthal D.
AGP for Respondent State: Mr.A.M.Phule
Mr.S.C. Arora, Adv., for R/1.

...
CORAM : P.R. BORA, J.
Dated: October 21, 2016

...
PER COURT :-

1. Heard learned Counsel for the applicants and the learned Counsel appearing for the acquiring body.
2. For the reasons stated in the applications for withdrawal of the amount and having regard to the objections raised by the acquiring body in the memo of appeals in exception to the impugned judgment and awards, I deem it appropriate to pass the following order:

ORDER

1. The applicants are, at present, permitted to withdraw 50 per cent of the deposited amount on submitting an undertaking that in the event any adverse order is passed against the applicants in the appeals, the applicants will re-deposit the amount so withdrawn within four months of passing of such order.

AGP/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(3) CA NO.12954/2016gr

2. The Balance 50 per cent of the amount be invested in a Fixed Deposit Receipt in any Nationalized Bank initially for a period of two years and, if required, for further period till disposal of the appeal.
3. Civil Applications for withdrawal of amount disposed of.
4. Place the matters for final disposal on 25th November, 2016.
5. Record and Proceedings be called for.

(P.R. BORA, J.)

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