

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 13813 OF 2016
IN
FIRST APPEAL NO. 670 OF 2016

**(Sou. Jankabai w/o Shesharao Jagtap Vs. The Regional
Officer, M.I.D.C., Latur and others)**

Mr. V.V. Ingale, Advocate for the applicant
Mr. S.S. Dande, Advocate for respondent no.1
Mr. M.M. Nerlikar, A.G.P. for respondent nos.2 and 3

CORAM : R.M. BORDE AND
SANGITRAO S. PATIL, JJ.

DATE : 18th November, 2016

PER COURT :

Heard.

2. This is the application seeking withdrawal of amount deposited by the M.I.D.C. in this Court towards enhanced compensation. Considering the contentions raised by the applicant, the application needs to be allowed and the same is accordingly allowed partly.

3. The applicant 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 appeal, the applicant would redeposit the amount in this Court within a period of 12 weeks from such decision. Further, a sum of 25% out of the amount deposited by the Acquiring Body in this Court shall be permitted to be withdrawn by the applicant on furnishing solvent security for the like amount.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 Nationalised 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 application stands disposed of.

[SANGITRAO S. PATIL]
JUDGE

[R.M. BORDE]
JUDGE