

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

927 CIVIL APPLICATION NO. 14246 OF 2016
IN FA/3505/2015 WITH FA/3502/2015 WITH
CA/14247/2016 IN FA/3508/2015 WITH CA/14248/2016
IN FA/3506/2015 WITH CA/14249/2016 IN
FA/3504/2015 WITH CA/14250/2016 IN FA/3503/2015
WITH CA/14251/2016 IN FA/3507/2015

SNAJAY DATTATRAYA SURASE AND OTHERS
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION
THROUGH G.M.I.D.C. AURANGABAD A

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Adv.for Applicants : Mr. VS Bedre, Adv. h/for Mr.
. Janapurkar Pradeep M.
Mr. SG Bhalerao, Adv. For Resp.No;1;
Mr. G.O.Wattamwar, AGP for Respondent No.2.

CORAM : P.R.BORA, J.

DATE : 25th October, 2016.

PER COURT :

1) Learned Counsel appearing for the applicants seeks leave to delete name of applicant No.3 – Babasaheb Dattatraya Surase in CA No.14246/2016. Leave granted. Deletion be effected forthwith.

2) Though the acquiring body was directed to deposit 100% amount of the impugned award along with the interest accrued thereon and

subject to such deposit, the execution of the impugned Award was stayed, the acquiring body has deposited only 50% of the amount under the Award.

3) In view of the fact that the acquiring body has deposited only 50% of the amount under the Award, even if the objections, as are raised by the acquiring body against the impugned judgment, are accepted as it is, there may not be any difficulty in allowing the present applicants to withdraw the deposited amount on submitting an undertaking that, in the event any adverse order is passed against them in the appeal/s, they will re-deposit the amount within four months of passing such order. Order accordingly. The Civil applications for withdrawal of the amount are disposed of.

(P.R.BORA)
JUDGE

bdv/