

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AT AURANGABAD.**

Civil Application No. 15890 of 2016
(In First Appeal No. 672 of 2016)

District : Osmanabad

Sou. Kusumbai w/o. Baburao Mane
(Died), Through L.Rs. :-

1. Baburao s/o. Bhaurao Mane,
Age : 68 years,
Occupation : Agriculture.
2. Savita w/o. Venkatrao Ravate,
Age : 47 years,
Occupation : Agriculture.
3. Anil s/o. Baburao Mane,
Age : 45 years,
Occupation : Agriculture.
4. Sau. Sunita w/o. Anil Chavan,
Age : 42 years,
Occupation : Household.
5. Balaji s/o. Baburao Mane,
Age : 39 years,
Occupation : Agriculture.

All r/o. Jakekur,
Taluka Omerga,
District Osmanabad.

.. Applicants
(Respondent
Nos.1 to 5
in F.A.)

versus

1. The Regional Officer,
Maharashtra Industrial Development
Corporation, Latur.
2. The State of Maharashtra,
Through Collector, Osmanabad,
District Osmanabad.

3. The Special Land Acquisition
Officer & Sub-Divisional Officer,
Osmanabad, Dist. Osmanabad.

.. Non-applicants
(No.1 - Appellant
in F.A.
&
Nos.2 & 3 -
Respondent
Nos.6 & 7 -
in F.A.)

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*Mr. Vivekanand V. Ingale, Advocate, for the
applicants.*

Mr. S.S. Dande, Advocate, for non-applicant no.1.

*Mr. S.B. Joshi, Asst. Government Pleader, for
non-applicant nos.2 and 3.*

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**CORAM : R.M. BORDE &
Z.A. HAQ, JJ.**

DATE : 09TH DECEMBER 2016

ORAL ORDER :

Heard.

02. 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 applicants, the application needs to be allowed and the same is accordingly allowed partly.

03. 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 appeal, the applicants 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 Further, a sum of 25 % out of the amount deposited by the Acquiring Body in this Court shall be permitted to be withdrawn by the applicants on furnishing solvent security for the like amount.

04. 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.

05. With the above directions, the Civil Application stands disposed of.

(Z.A. HAQ)
JUDGE

(R.M. BORDE)
JUDGE

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