

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

928 CIVIL APPLICATION NO. 12709 OF 2016
IN FAST/9962/2016 WITH CA/12710/2016 IN FAST/9962/2016
WITH CA/12711/2016 IN FAST/9962/2016 WITH CA/16026/2016
IN FAST/9962/2016

THE G.M.I.D.C. THR THE EXECUTIVE ENGINEER, MAJALGAON
CANAL DIVISION NO.10, PARBHA
VERSUS
ARVIND VITHALRAO SHINDE AND ORS

...
Advocate for Applicant : Gaikwad Anil M.
AGP for Respondents : S.P. Deshmukh
Advocate for Respondents : V D Bhise Patil
...

CORAM : P.R. BORA, J.
DATE : 14-12-2016.

P.C. :

1. For the reasons stated in the application. The application seeking leave to appeal is allowed. Civil application stands disposed of.
2. For the reasons stated in the application which according to me are just and sufficient, the delay of 177 days caused in filing the appeal is condoned. Appeal be registered in accordance with law. Civil application disposed of.
3. Heard the learned counsel appearing for the applicants and the learned counsel appearing for the respondent/appellants. The applicants are permitted to withdraw 70% of the deposited amount on submitting an undertaking that in the event any adverse

order is passed they will re-deposit the amount so withdrawn by them within four months of passing such order. Balance 30% amount be invested in any nationalized bank in F.D.R. initially for a period of two years and if required, for a further period till the disposal of the appeal. Civil application stands disposed of.

4. In view of the fact that the insurance company has deposited the amount of compensation as directed by this court, the interim stay granted by this court vide order passed on 21.09.2016 is made absolute. Civil application stands disposed of.

5. On registration of appeal, issue notice to the respondents returnable on 25.01.2017. Learned counsel Shri V.D. Bhise patil, waives for original claimants and Shri S.P. Deshmukh, A.G.P. for state and the S.L.A.O. Service complete. Place the matter for final disposal at admission stage on 25.01.2017.

(P.R. BORA)
JUDGE