

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1122 OF 2016

IN

FIRST APPEAL NO. 1188 OF 2016

Shri. Balaram Nana Thakur & Ors. ...Applicants

In the matter between

The State of Maharashtra ...Appellant

Versus

Shri. Balaram Nana Thakur & Ors. ...Respondents

Mr. Suresh Madhukar Kamble, for the Applicants/Respondents No.
1/1 to 1/3 & 1/5.

Mr. Yogesh Dablee, AGP for the Appellant-State.

CORAM : G.S. KULKARNI, J.

DATE : 19th December 2016

ORDER :

1. Not on board. Taken on board on a praecipe as moved
on behalf of the Applicants.

2. By this Application, the Applicants-Respondents pray
that the Applicants be allowed to withdraw the amount deposited by

the Appellant-State of Maharashtra with the District Court in pursuance of the order dated 26th October 2015 passed by this Court.

3. The learned Government Pleader on instructions state that the Appellant-State of Maharashtra has no objection, if the Applicants are permitted to withdraw 50 percent of the amount which is deposited, subject to the applicants' furnishing security to the satisfaction of the Reference Court (Civil Judge, Senior Division, Panvel). Accordingly, the applicants are permitted to withdraw 50 percent of the amount as deposited by the appellant in the Court of the learned Civil Judge, Senior Division, Panvel subject to the applicant furnishing security to the satisfaction of the Reference Court. In the above circumstances, further adjudication of the Civil Application is not called for.

4. Civil Application is disposed of in the above terms. No costs.

[G.S. KULKARNI, J.]