

vat

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 1358 OF 2016

IN

FIRST APPEAL No. 49 OF 2016

Vithoba Devasthan through

Occupier

Ram Purushottam Gaikwad and Ors.

...Applicants

In the matter between

The State of Maharashtra and Anr.

...Appellants

(Org. Opponents)

Vs.

Shri Vithoba Devasthan through

Occupier

Ram Purushottam Gaikwad

and Ors.

...Respondents

(Org. Claimants)

Mr. Shriram Kulkarni for Applicants

None appears on behalf of the Respondents.

***CORAM : V. M. KANADE &
M.S. KARNIK, JJ.***

DATE : APRIL 26, 2016

P.C. :

1. Heard the learned counsel for the Applicants. None appears on behalf of

the Respondents though they were served.

2. This is an application preferred by the decreeholders seeking leave of this Court for withdrawing the decreetal amount deposited by the Appellants in the Court of the Civil Judge, Senior Division, Alibaug in Land Acquisition Reference preferred by the Applicants in the District Court.

3. The Applicants are the owners and possessors of the suit land which was acquired by the Appellants herein. The Appellants have deposited the decreetal amount. The Applicants are permitted to withdraw the said amount on furnishing bank guarantee having renewal clause to the satisfaction of the Trial Court.

Withdrawal of the amount shall be subject to final decision in the appeal

4. Civil application is accordingly disposed of. The Trial Court shall act on the authenticated copy of this order.

M.S.KARNIK, J.

V.M. KANADE, J.