

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2707 OF 2016
IN
FIRST APPEAL NO. 1475 OF 2013**

Bhagwan Bhau Patil	..Applicant
In the matter of	
The Executive Engineer	..Appellant
Vs.	
Bhagwan Bhau Patil & Ors.	..Respondents

Mr. T. S. Ingale for the Applicant
Mr. V. S. Tadake for the Respondent original Appellant

CORAM : R. M. SAVANT, J.
DATE : 13th JULY, 2016

P.C.

1 The above Civil Application has been filed for withdrawal of the amount of Rs.1,45,758/- deposited by the Respondent herein i.e. the original Appellant in the Reference Court at Sangli i.e. the Court of Learned Civil Judge Senior Division, Sangli. The said amount has been deposited in terms of the award of the Reference Court. The Applicants are the original Claimants and the land holders from whom the lands have been acquired for the irrigation project in question. The Respondent /Appellant is the acquiring body. The above First Appeal has already been admitted, in my view therefore it would be just and proper to permit the Applicants to withdraw an amount of Rs.50,000/- without security and an amount of Rs.50,000/- with security to be furnished by the Applicants to the satisfaction of the Reference Court. The

Respondent / Appellant acquiring body would be heard in respect of the said security before the same is accepted. The balance amount to be deposited by the office of the Reference Court in a fixed deposit of a nationalised bank initially for a period of two weeks and thereafter to be renewed for appropriate periods as it deems fit. The Civil Application is accordingly disposed of.

[R.M.SAVANT, J]