

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2713 OF 2016
IN
FIRST APPEAL NO.1476 OF 2013**

Krishna Tatoba Pawar & Ors.

..Applicants

In the matter of

The Executive Engineer

..Appellant

Vs.

Krishna Tatoba Pawar & Ors.

..Respondents

Mr. T. S. Ingale for the Applicants

Mr. V. S. Tadake for the Respondent

CORAM : R. M. SAVANT, J.

DATE : 23rd JUNE, 2016

P.C.

1 The above Civil Application has been filed for withdrawal of the amount of Rs.5,49,332/- deposited by the Appellant i.e. the Executive Engineer, Maharashtra Krishna Valley Development Corporation (MKVDC). The above First Appeal is pending hearing and final disposal. The Applicants are the original Claimants and the land holders from whom the lands have been acquired for the irrigation project in respect of which MKVDC is the acquiring body. The above First Appeal has been filed against the enhancement of compensation granted by the Reference Court.

2 In my view, it would be just and proper to permit the Applicants to withdraw an amount of RS.4,00,000/- from the amount of Rs.5,49,332/- deposited by the MKVDC out of the said amount Rs.2,00,000/- would be

without security and for the balance Rs.2,00,000/- the Applicants would have to furnish suitable security to the satisfaction of the Trial Court. The Civil Application is accordingly disposed of.

[R.M.SAVANT, J]