

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Amk

CIVIL APPLICATION NO. 3769 OF 2016
IN
FIRST APPEAL NO. 2345 OF 2006
WITH
CIVIL APPLICATION NO. 3770 OF 2016
IN
FIRST APPEAL NO. 2346 OF 2006
WITH
CIVIL APPLICATION NO. 3771 OF 2016
IN
FIRST APPEAL NO. 2347 OF 2006

Bhimabai Kamalakar Bhoir & Ors. .. Applicants

In the matter between

The State of Maharashtra .. Appellant
Vs.
Bhimabai Kamalakar Bhor & Ors. .. Respondents

Mr. Suresh M. Kamble for the Applicants.
Mr. Amit Palkar, AGP for the State.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.
DATE : 15th OCTOBER, 2016.

P. C. :

1. The applicants in all these applications are seeking withdrawal of the amounts deposited by the State in terms of awards passed by the Reference Court. The said amounts have been deposited in the Court of Civil Judge Senior Division, Alibag, District Raigad.

2. As these appeals are already admitted considering the

amounts are deposited and in view of the order of this Court dated 05.07.2016 passed in Civil Application No. 1287 of 2016 in First Appeal No. 42 of 2016 and also the order passed by this Court on 07.09.2016 in Civil Application No. 1267 of 2016 in First Appeal No. 256 of 2015, these applications are allowed and disposed of accordingly on the following conditions:

- (i) The applicants are permitted to withdraw the 50% of the amounts deposited with the Reference Court on furnishing solvent security to the satisfaction of the Reference Court.
- (ii) The balance amount may be invested by the Reference Court in any nationalized bank initially for a period of three years, to be renewed subsequently from time to time.

[DR. SHALINI PHANSALKAR-JOSHI, J.]