

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

**CIVIL APPLICATION NO. 148 OF 2016
IN
FIRST APPEAL NO. 70 OF 2016**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. N.V. Bandivadekar for the applicant.
Mr. A.R. Patil, AGP for the Appellant/State.

**CORAM : K. K. TATED, J.
DATED : 26/02/2016**

P.C.:

. Heard learned Counsel for the parties.

2 This application is preferred by the claimants for withdrawal of amount deposited by the Appellant State of Maharashtra pursuant to the order dated 29.04.2015 in Civil Application No. 1637 of 2015 passed by this court.

3 The learned counsel for the applicant submits that applicant may be permitted to withdraw the said amount. He further submits that applicants are ready and willing to provide solvent security to the satisfaction of the Trial Court.

4 In support of his contention, the learned counsel for the applicant relies on earlier order dated 02.12.2015 passed by the Division Bench in

Civil Application No. 4033 of 2015 with connected matters.

5 Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and order dated 02.12.2015 passed by the Division Bench in Civil Application no. 4033 of 2015, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

6 Hence, the following order:

a) Applicant is permitted to withdraw the amount of compensation deposited by the Appellant State of Maharashtra in the Reference Court subject to furnishing the adequate solvent security to the satisfaction of the Reference Court within twelve weeks from today.

b) Appellant State of Maharashtra shall be heard before accepting the solvent security.

c) Civil application stands disposed off accordingly.

(K.K.TATED, J.)