

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

976 CIVIL APPLICATION NO. 2314 OF 2017
IN FA/1542/2016 WITH CA/16015/2015 IN FA/1542/2016 WITH
CA/2315/2017 IN FA/1542/2016

KESARYA RAMA KALE SINCE DECEASED THR LRS RASWANTABAI
KALE
VERSUS
THE EXECUTIVE ENGINEER, LOWER DUDHANA PROJECT SELU,
PARBHANI THR JALNA IRR. DIV.

...
Advocate for Applicant : Koralkar Arun H.
AGP for Respondents: C.V. Dharurkar
Advocate for Respondents : S. G. Bhalerao For R/
...

CORAM : V.K. JADHAV, J.
DATE : 17-02-2017.

P.C. :

1. Heard both the sides. Perused the application and death certificate and the legal heir certificate issued by the Gram Panchayat. For the reasons stated in the application, the same is allowed in terms of prayer clause A-I and II. Civil application is accordingly disposed of.

2. Learned counsel for the applicant submits that in the connected matters, this Court has allowed the respective claimants in the said appeals to withdraw 75% of the amount deposited in the Court on furnishing an undertaking. Learned counsel further pointed out that this Court has also passed such orders on 22.07.2016 in C.A. No. 10304/2016. Learned counsel appearing for the acquiring body has not disputed the facts stated as aforesaid

and has prayed for passing appropriate orders.

3. In view of the above, Civil application for withdrawal of amount is allowed. The applicant is permitted to withdraw 75% of the amount deposited in the Court subject to furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court. Balance 25% amount be kept in any nationalized bank in Fixed Deposit Receipt, initially for a period of two years, and if so required, to renew the said F.D.R. for further period, till disposal of the appeal. Civil application is accordingly disposed of.

(V.K. JADHAV)
JUDGE

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