

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

952 CIVIL APPLICATION NO. 2232 OF 2017
IN FA/3154/2015

SUMANBAI DATTATRYA MANE (MUDADANGE)
VERSUS
THE MAHARASHTRA INDUSTRIAL DEVELOPMENT
CORPORATION, THR ITS REGIONAL OFFICER, LATUR

Shri. Laxmikant C. Patil Advocate, for applicant.

Shri. S.S. Dande, Advocate, for respondent No.1.

Shri. A.R. Kale, Assistant Government Pleader,
for respondent No.2.

**Coram: T.V. NALAWADE &
SANGITRAO S. PATIL, JJ.**

Date: 15 February 2017

ORDER:

The civil application is filed for permission to withdraw the amount of compensation deposited by the appellant. The submissions made show that in the matters which are arising out of the same project this Court had made order in Civil Application No.1681/2016 in First Appeal No.3152/2015). The operative order is at paragraphs 4 and 5.

2) In view of these circumstances, this Court holds that in the same terms the present application needs to be allowed. So following order.

3) The applicant shall be permitted to withdraw 25% of the amount, out of the amount deposited by the acquiring body/appellant in this Court, on furnishing an undertaking to the effect that in the event of success of appeal, the applicant would re-deposit the amount in this Court within a period of twelve weeks from such decision. Further sum of 25%, out of the amount deposited by the acquiring body in this Court, shall be permitted to be withdrawn by the applicant on furnishing solvent security for like amount.

4) The balance amount of 50%, out of the amount deposited by the acquiring body, in this Court, shall be invested in fixed deposit in any Nationalized Bank, initially for the period of

three years. The fixed deposit shall be renewed thereafter until disposal of the appeal. The civil application is disposed of in the above terms.

Sd/-
(SANGITRAO S. PATIL, J.)

Sd/-
(T.V. NALAWADE, J.)

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