

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

Civil Application No.2130 of 2015

In

First Appeal No.91 of 2009

Mainoddin Abdulsab Sayyed

And Others.

.. Applicants.

Versus

Maharashtra Industrial Development

Corporation, Latur & Another.

.. Respondents.

Shri. S.V. Gundre, Advocate, for applicants.

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

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

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

Date: 2 March 2017

ORDER:

1) The application is filed for giving permission to withdraw the compensation amount in terms of the order made by the Hon'ble Apex Court in Civil Appeal No. 8072 of 2013 (Kashinath Basappa Janapure v. M.I.D.Corp'n.) decided with other matters on 10-9-2013. This Court has already made order in Civil Application

No.2131/2015 (FA No.93/2009) in terms of the said order made by the Hon'ble Apex Court. So following order is made.

2) The applicants shall be permitted to withdraw 50% of the amount, which is remained to be withdrawn and was directed to be withdrawn on furnishing bank guarantee. In view of afore said order, we direct the Registry to allow the applicants to withdraw the balance 50% of the amount, without insisting on the bank guarantee and the bank guarantee, if any, submitted, be returned to the applicants. So far as interest over the amount deposited is concerned, we direct that the said amount as well be allowed to be withdrawn by the applicants on furnishing security to the satisfaction of the Registrar (Judicial.). A copy of this order is to be sent to the Collector. The civil application is allowed in those terms.

Sd/-

(SANGITRAO S. PATIL, J.)

rsl

Sd/-

(T.V. NALAWADE, J.)