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

**949 CIVIL APPLICATION NO. 3438 OF 2017
IN FAST/10621/2016**

**KISAN SAMPU DOKE AND ORS
VERSUS
THE EXECUTIVE ENGINEER, KRISHNA KHORE, OSMANABAD THR
MKVDC PUNE AND ANR**

...
Advocate for Applicants : Mr Nirmal R.J.
Advocate for Respondent No. 1 : Mr Gaddime A.N.
AGP for Respondent No.2 : Mr Bagul R.B.

CORAM : V.K. JADHAV, J.

DATE : 28th April, 2017

ORAL ORDER

Heard both the sides.

2. The learned counsel for the applicants submits that though the agricultural lands of the applicants came to be acquired in the year 1998, the applicants have not received any compensation at enhanced rate till this date. The applicants are the aged persons and they may be permitted to withdraw the entire amount.

3. The learned counsel for the respondent-acquiring body has strongly resisted the application and in the alternative submits that the applicants may be permitted to withdraw 75% of the amount deposited before this Court, on certain conditions.

4. In view of the above submissions, the applicants are permitted to withdraw 50% of the amount along with accrued interest, deposited before this Court, on furnishing undertaking to the satisfaction of the Registrar (Judicial) and further permitted to withdraw 25% of the amount on furnishing solvent surety to the satisfaction of the Registrar (Judicial).

(2)

5. Balance amount shall be invested in any nationalized bank initially for a period of five years and renewal thereafter as directed by this Court.
6. Civil Application is accordingly disposed of.

(V.K. JADHAV, J.)

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