

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

CA NO.9527/2017gr

**923 CIVIL APPLICATION NO. 9527 OF 2017
IN FAST/20305/2016**

WITH

CA/10010/2016 IN FAST/20305/2016

WITH

CA/10011/2016 IN FAST/20305/2016

GHANSHYAM NARAYANRAO SONNEKAR AND ANR
VERSUS
THE EX. ENGINEER, MINOR IRRIGATION OFFICE, PARBHANI AND
ORS

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Advocate for Applicants : Mr.Jogdand Patil Vijay B.

AGP for Respondent/State : Mr. S.P. Sonpawale

Mr. R. C. Patil, Adv. for Respondent No. 1

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CORAM : P.R. BORA, J.

Dated: July 19, 2017

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PER COURT :-

1. Heard learned Counsel for respective parties on the application for condonation of delay. Learned Counsel for the respondents i.e. original claimants has conceded for condonation of delay. The delay, therefore, stands condoned. Civil Application for condonation of delay stands allowed and disposed of. The Appeal be registered in accordance with law.

2. Heard learned Counsel for the respective parties on the application for withdrawal of amount. In the companion matters this Court (Coram V.K. Jadhav, J) vide order passed on 3rd March,

agp/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
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(2)

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2017 in C.A. No. 2926 of 2017 with connected matters has permitted the claimants therein to withdraw the 75 per cent of the amount on furnishing undertaking. Learned Counsel for the applicant and the learned counsel appearing for acquiring body have prayed for passing similar orders in this matter.

3. Applicants are permitted to withdraw 75 per cent of the deposited amount on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court. Balance 25 per cent of the deposited amount be invested in Fixed Deposit Receipt of any Nationalized Bank, initially for a period of two years and if so required for further period till disposal of the appeal. Civil Application for withdrawal of amount stands disposed of.

4. In view of the fact that the acquiring body has deposited entire amount of compensation as was directed by this Court, the interim order dated 29th July, 2016, is made absolute. Civil Application for stay stands disposed of.

(P.R. BORA, J.)

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