

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

CA NO.9509/2017

921 CIVIL APPLICATION NO. 9509/2017
IN
FA/1490/2016

KAUTIK APPA PATIL (DIED) THR LRS SOMNATH AND OTHERS
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER 1 JALGAON AND
ANOTHER

...
Advocate for applicants : Mr. Shendurnikar P.S.
AGP for Respondent State: Mr.S.M.Ganachari

...
CORAM : P.R. BORA, J.
Dated: July 18, 2017

...

PER COURT :-

1. The present application is filed seeking withdrawal of the entire amount deposited by the acquiring body in the present matter. Learned Counsel submitted that in companion matters, the respective claimants are permitted to withdraw the said amount. Learned Counsel submitted that the State has deposited 50 per cent of the amount under the award and hence the applicants need to be permitted to withdraw entire said amount.

2. Learned A.G.P. brought to my notice that in companion matters, this Court (Coram: V.K.Jadhav, J.) on 29th April, 2016, has passed certain orders permitting the claimants in respective applications to withdraw the amount as was deposited by the State on certain conditions. Learned A.G.P. has tendered across the Bar copy of the order so passed in C.A.No.5654/2016 in -

agp/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(2)

CA NO.9509/2017

F.A.No.1489/2016 on 29th April, 2016, and submitted for passing order on similar lines. In view of the submission so made, following order is passed:

ORDER

1. The applicants are permitted to withdraw 50 per cent of the deposited amount on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court and are further permitted to withdraw the remaining 50 per cent of the deposited amount on furnishing solvent surety in the like amount to the satisfaction of the Registrar (Judicial) of this Court. Civil Application for withdrawal of amount stands disposed of accordingly.

(P.R. BORA, J.)

...