

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
977 CIVIL APPLICATION NO. 11718 OF 2017
IN FAST/6952/2015

KONDIBA THAKA DEVKATE (DIED) THR LRS UTTAM AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Applicants : Mr. Kasar Rajendra S.
AGP for Respondents State: Mr. S. S. Dande
Advocate for Respondent No.3 : Mr. G. B. Rajale
CORAM : K. L. WADANE, J.

DATE : 20th September, 2017

ORDER:

1. Heard learned counsel for the respective parties.
2. The applicants are praying for withdrawal of the amount deposited by the appellant before the executing Court in pursuance of the order passed by this Court on 16.10.2015.
3. After hearing the learned Counsel for the applicants and the learned Counsel appearing for the acquiring body, I find it appropriate to allow the applicants to withdraw 50% of the amount so deposited by the acquiring body before the executing Court on submitting an undertaking that, in case any adverse order is passed against them and amount of compensation is decreased, they will redeposit the amount so

withdrawn by them within next two months after passing of the order.

4. Remaining 50% amount be invested in any Nationalized Bank for a period till disposal of the appeal.

5. Civil Application is accordingly disposed of.

(K. L. WADANE, J.)

JPC