

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

950 CIVIL APPLICATION NO. 9954 OF 2017
IN FAST/9374/2017 WITH CA/4937/2017 IN FAST/9378/2017 WITH
CA/4939/2017 IN FAST/9374/2017 WITH CA/4948/2017 IN
FAST/9355/2017 WITH CA/5090/2017 IN FAST/9359/2017 WITH
CA/6202/2017 IN FAST/9370/2017 WITH CA/6619/2017 IN
FAST/15243/2017 WITH CA/9955/2017 IN FAST/9370/2017 WITH
CA/9956/2017 IN FAST/9355/2017 WITH CA/9957/2017 IN
FAST/9359/2017 WITH CA/9958/2017 IN FAST/9378/2017 WITH
CA/9959/2017 IN FAST/15243/2017

RADHABAI ANNA LAHANE (DEAD) THR LRS SHRIKISHAN AND ORS
VERSUS
THE EX. ENGINEER, IRRIGATION DIVISION JALNA AND ORS

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Advocate for Applicants : Mr. Humbe Vilas M.
AGP for Respondent No.2: Mr. B.V. Virdhe
Advocate for Respondent No.1 : Mr.

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CORAM : V. K. JADHAV, J.
DATED : 28th JULY, 2017

PER COURT:-

1. Learned counsel for the applicants/original claimants submits that this Court, vide order dated 15.9.2016 in civil application No.12451 of 2016 and vide order dated 21.4.2017 in the civil applications filed in first appeal No. 757 of 2017 and other connected appeals, permitted the applicants therein to withdraw the amount. Learned counsel for the respondent acquiring body has not disputed this position.

2. In view of above, the applicants in the respective civil applications for withdrawal of amount are permitted to withdraw 75%

of the amount deposited by the acquiring body in this Court on furnishing undertaking that in the event any adverse order is passed against them in the appeals, they will re-deposit the amount within four months of passing such order. Balance 25% amount be invested in a fixed deposit receipt, in any Nationalized bank, initially for a period of two years and to be renewed if so required till disposal of the appeals.

3. Civil applications for withdrawal of the amount are accordingly disposed of.

4. In civil applications for condonation of delay, heard both sides. For the reasons stated in the said civil applications, delay caused in filing first appeals is hereby condoned. Civil applications for condonation of delay are disposed of.

5. In first appeals, issue notice to the respondents, returnable on 8.9.2017. Learned counsel waives notice of respondents-claimants. Call for record and proceedings.

(V. K. JADHAV, J.)

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