

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

**CIVIL APPLICATION NO. 10931 OF 2017
IN
FIRST APPEAL STAMP NO. 16370 OF 2016**

Bhojaram Poshetti Shelke and another ...APPLICANTS

versus

Executive Engineer Uppr Penganga
Project Dv.No. 8 now Division No. 6
Nanded under GMIDC and others ...RESPONDENTS

WITH
**CIVIL APPLICATION NO. 10932 OF 2017
IN
FIRST APPEAL STAMP NO. 16377 OF 2016**

Amina Firdos Sirajoddin @
Amina Begum Sirajoddin Ab Raheman
and another ...APPLICANTS

versus

Executive Engineer Uppr Penganga
Project Dv. No. 8 now Division No. 6
Nanded under GMIDC and others ...RESPONDENTS

.....

Mr. Ravindra V. Gore, Advocate for applicants-original claimants
Mr. B.R. Surwase, Advocate for respondent No. 1
Mr. R.B. Bagul, AGP for respondent No. 2

.....
WITH
FIRST APPEAL No. 836 of 2014

CORAM : K.K. SONAWANE, J.

DATED : 23rd AUGUST, 2017.

Order :-

1. Heard learned counsel for the applicants-original claimants, learned counsel for respondent No. 1-Acquiring Body. and learned AGP for respondent No. 2. Perused the applications.

2. The applicants-original claimants seek permission to withdraw the amount deposited on behalf of the respondent - Acquiring Body in lieu of payment of compensation amount determined by the learned Reference Court.

3. Considering the nature of the subject-matter, I do not find any impediment to allow the applicants-original claimants to withdraw the amount on certain terms and conditions. Hence, the applications are allowed. The applicants-original claimants are allowed to withdraw 50% of deposited amount on furnishing undertaking to the satisfaction of the Registrar(Judicial) of this Court and 25% amount be allowed to be withdrawn by the applicants on furnishing solvent surety and rest of the 25% amount be invested in a Fixed Deposit Receipt in any Nationalized Bank, for a period of two years or till final adjudication of the appeal, whichever is earlier.

4. Accordingly, the applications for withdrawal of amount stand disposed of.

Sd/-

[K. K. SONAWANE]
JUDGE

MTK