

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

925 CIVIL APPLICATION NO. 11240 OF 2017
IN FA/2205/2014

VISHWANATH MAHADEO MALI
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...

Advocate for Applicant : Mr. Vivekanand V. Ingale.
AGP for Respondent State : Mr. S. P. Sonpawale.

...

CORAM : K.K. SONAWANE, J.

DATED : 01ST SEPTEMBER, 2017.

ORDER :-

Heard learned counsel for the applicant and learned AGP for respondent State. Perused the application.

2. Matter pertains to the Land Acquisition Proceedings. Learned Reference Court after appreciating the evidence on record partly allowed the reference petition and enhanced compensation.

3. The learned AGP for respondent State fairly submits that, applicant be allowed to withdraw the amount on certain condition to protect interest of respondent State, in case success in appeal.

4. In view of the aforesaid submission, applicant is allowed to withdraw 50 % of the amount deposited by the non-applicant Acquiring Body/State on furnishing undertaking to the satisfaction of the learned Registrar (Judicial) of this Court. Rest of the 25 % amount be allowed to be withdrawn by the applicant on furnishing solvent surety of like amount and rest of the 25 % amount be kept in Fixed Deposit Receipt Account for the period of two (2) years or till adjudication of the matter on merit, whichever is earlier.

5. Accordingly, application stands disposed of.

Sd./-

[K. K. SONAWANE]
JUDGE

rrd.