

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

CIVIL APPLICATION NO. 14823 OF 2017

IN

IN FA/3719/2017 WITH FA/3718/2017 WITH
FA/3720/2017 WITH FA/3721/2017 WITH FA/3722/2017

BALKISHAN PUSARAM PARTANI AND ORS
VERSUS
THE EXECUTIVE ENGINEER, MAJALGAON CANAL DIVISION
NO.10, PARBHANI AND ORS

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Advocate for Applicants : Mr. V.B.Jogdand h/f
Mr.Bhise Vitthal D.

Advocate for Resp. no.1 : Mr. R.C.Patil
AGP for Respondents/State : Mr. V.S.Badak

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CORAM : K.L.WADANE, J.

DATED : 12th December, 2017

O R D E R :

Heard learned counsel for both sides.

2. This is an application for withdrawal of amount of compensation.

3. Learned counsel for the applicants submits that in similar application bearing Civil Application No. 10562 of 2016 in First Appeal St. No. 5411 of 2016 vide order dated 21.8.2017, this Court has already allowed withdrawal of 50 per cent amount on undertaking, 25 per cent amount on furnishing solvent security to the satisfaction of

the Registrar of this Court and remaining 25 per cent amount is directed to be kept in fixed deposit in any nationalized bank.

4. In view of above, Civil Application for withdrawal of amount is allowed. The applicants are permitted to withdraw 50 per cent of the amount on undertaking. Out of the remaining 50 per cent amount of compensation, the applicants are permitted to withdraw 25 per cent of the amount on furnishing solvent security to the satisfaction of the Registrar of this Court and remaining 25 per cent of the amount be kept in fixed deposit in any nationalized bank, initially for a period of two years, and if so required, to renew the said F.D.R. for further period, till disposal of the appeal.

5. Civil Application is disposed of.

(K.L.WADANE, J.)

dbm