

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 13442 OF 2016
IN
FIRST APPEAL NO. 2188 OF 2016

Gangaram Yashwanta Wadgave
Deceased through LRs

Applicants

Versus

Maharashtra Industrial Development
Corporation, Latur

Respondents

Mr. G.R. Syed, advocate for the applicants.
Mr. A.S. Shinde, AGP for respondents no. 2 and 3.
Mr. S.S. Dande, advocate for respondent no. 1.

WITH
CIVIL APPLICATION NO. 13443 OF 2016
IN
FIRST APPEAL NO. 2196 OF 2016

Sambhaji Ganpati Madne
Deceased through LRs

Applicants

Versus

Maharashtra Industrial Development
Corporation, Latur

Respondents

Mr. G.R. Syed, advocate for the applicants.
Mr. A.S. Shinde, AGP for respondents no. 2 and 3.
Mr. S.S. Dande, advocate for respondent no. 1.

WITH
CIVIL APPLICATION NO. 13444 OF 2016
IN
FIRST APPEAL NO. 2189 OF 2016

Chandrakant Eknath Kulkarni

Applicant

Versus

Maharashtra Industrial Development
Corporation, Latur

Respondents

Mr. G.R. Syed, advocate for the applicant.
Mr. A.S. Shinde, AGP for respondents no. 2 and 3.
Mr. S.S. Dande, advocate for respondent no. 1.

WITH
CIVIL APPLICATION NO. 13445 OF 2016
IN
FIRST APPEAL NO. 2197 OF 2016

Kashinath Deelip Madne
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Applicants

Versus

Maharashtra Industrial Development
Corporation, Latur

Respondents

Mr. G.R. Syed, advocate for the applicants.
Mr. A.S. Shinde, AGP for respondents no. 2 and 3.
Mr. S.S. Dande, advocate for respondent no. 1.

WITH
CIVIL APPLICATION NO. 13462 OF 2016
IN
FIRST APPEAL NO. 2191 OF 2016

Dwarkadas s/o Gulabchand Loya
Deceased through LRs

Applicants

Versus

Maharashtra Industrial Development
Corporation, Latur

Respondents

Mr. G.R. Syed, advocate for the applicants.
Ms. R.P. Gour, AGP for respondents no. 2 and 3.
Mr. S.S. Dande, advocate for respondent no. 1.

**CORAM : R.M.BORDE &
P. R. BORA, JJ.
DATE : 24th MARCH, 2017**

PER COURT:

1. Instant appeals arise out of the same section 4 notification as in the case of Civil Application no. 13348/2016 in First Appeal No. 2192/2016.

2. For the reasons recorded while disposing of aforesaid civil application, instant civil applications stand allowed. The acquiring body has deposited 75% amount out of the amount awarded by the reference court. Applicants shall be permitted to withdraw 50% of the amount already deposited by the acquiring body in this Court. Out of the permissible withdrawal of 50% by the applicants, 25% withdrawal shall be permitted without furnishing bank guarantee or any solvent security, however, subject to tendering an undertaking to the effect that in the event of success of appeal, applicants shall redeposit the amount within a period of eight weeks from the date of such decision and the remaining 25% amount shall be permitted to be withdrawn on furnishing solvent security or bank guarantee. The balance 50% amount out of the

75% amount deposited by the acquiring body shall be invested in Nationalised Bank initially for a period of three years and the bank guarantee shall be renewed thereafter until disposal of the appeal.

3. With the directions as above, civil applicants stand disposed of.

(P. R. BORA)
JUDGE

(R.M.BORDE)
JUDGE

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