

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

949 CIVIL APPLICATION NO. 11676 OF 2017
IN FA/2822/2017

PRAKASH VISHVANATH PATIL

VERSUS

THE EXECUTIVE ENGINEER, MEDIUM PROJECT, LATUR AND
OTHERS

...

Advocate for Applicants : Mr. Satish S Deshmukh
(Patnurkar)

AGP for Respondents State: Mr. B. A. Shinde
Advocate for Respondent No.1 : Mr. S. B. Pulkundwar
WITH

CIVIL APPLICATION NO. 11677 OF 2017
IN FA/2822/2017

UTTAM VISHVANATH PATIL AND OTHERS

VERSUS

THE EXECUTIVE ENGINEER, MEDIUM PROJECT, LATUR AND
OTHERS

Advocate for Applicants : Mr. Vijay G. Sakolkar

AGP for Respondents State: Mr. B. A. Shinde

Advocate for Respondent Acquiring Body: Mr. S. B.
Pulkundwar

CORAM : K. L. WADANE, J.

DATE : 12th September, 2017

ORDER:

1. Heard learned counsel for the respective parties.

2. These are two applications filed by the original claimants in L.A.R. No.2189/2010 for withdrawal of the amount of compensation deposited by the acquiring body. Learned counsel appearing for the acquiring body has no objection to pay half of the amount deposited in

this court.

3. Hence, in view of the submissions of both the sides and considering the grounds in the appeal memo, I am of the opinion that at least 50% amount can be paid to the applicants/original claimants. Hence following order.

1) The applicants in the above applications /original claimants (1) Prakash s/o Vishwanath Pati, (2) Uttam Vishwanath Patil (3) Jaishree w/o Balaji Kore and (4) Shivaji s/o Sangram Kore are allowed to withdraw 50% amount deposited in this court with interest accrued thereon, on furnishing undertaking that in the event of adverse order passed in the appeal, they shall deposit the entire amount so withdrawn by them within a period of 12 weeks. The amount be paid to these applicants, equally by issuing separate cheques in their names.

2) Remaining amount shall be invested in fixed deposit initially for a period of 13 months in any nationalized Bank and shall be renewed thereafter as per directions of the Court.

4. Civil applications stand disposed of

(K. L. WADANE, J.)

JPC