

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

949 CIVIL APPLICATION NO. 11675 OF 2017
IN FA/2821/2017

VIRSHETTI BABARAO PATIL AND ANR
VERSUS
THE EXECUTIVE ENGINEER, MEDIUM PROJECT, LATUR AND
OTHERS

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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

CORAM : K. L. WADANE, J.

DATE : 12th September, 2017

ORDER:

1. Heard learned counsel for the respective parties.

2. This is an application filed by the original claimants in L.A.R. No.2191/2010 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/original claimants (1) Virshetti s/o Babarao Patil and (2) Sidram s/o Virshetti Patil 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furnishing undertaking that in the event of adverse order passed in the appeal, they shall deposit the entire amount so withdrawn by them within a period of 12 weeks.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 application stands disposed of

(K. L. WADANE, J.)

JPC