

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

936 CIVIL APPLICATION NO. 12997 OF 2017
IN FA/4088/2017

MANDODARI NANASAHEB AVARGANDE
VERSUS
EXECUTIVE ENGINEER, NIMNA DHUDHANA PROJECT SELU AND ORS

WITH

937 CIVIL APPLICATION NO. 12998 OF 2017
IN FA/4089/2017

ABASAHEB BAPURAO KHARAD DIED THR LRS ZUGARABAI AND ORS
VERSUS
EXECUTIVE ENGINEER, NIMNA DHUDHANA PROJECT SELU AND ORS

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Advocate for Applicants : Mr. Randive Sachin S.
AGP for Respondent/State : Mr. A.M. Phule.
Advocate for Respondent No. 1 : Mr. B. R. Survase.

CORAM : K. L. WADANE, J.

DATE : 11th October, 2017

ORDER:

1. The applications are filed by the original claimants for permission to withdraw the amount.
2. Learned counsels for both the sides are heard.
3. Seen the Judgment and Award of the Reference Court.
4. It appears that the sale instances of the year 2000 are considered when the notification under section 4 of the Land Acquisition Act is published on 22.07.1999. However, some other matter was decided and

that is considered by the Reference Court. Subject to the same conditions, permission can be granted to the applicants for withdrawal of the amount.

5. In view of the aforesaid circumstances, 75% amount is to be released in favour of the applicants and subject to undertaking of giving solvent surety of remaining 25 % amount, the same be released in favour of the applicants.

6. Civil Applications are disposed of.

7. In appeals, the learned counsel appearing for both the parties submits that the appeal may be referred to the Lok-Adalat. Hence, place the appeals before the ensuing Lok-Adalat.

(K. L. WADANE, J.)

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