

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

915 CIVIL APPLICATION NO. 11948 OF 2017

IN FA/3321/2015

SITARAM BHIKA KHADKE (DIED) THR LRS KAMALBAI SITARAM
KHADKE

VERSUS

THE AREA MANAGER, M.I.D.C. JALGAON MIDC, JALGAON & ORS
WITH

915 CIVIL APPLICATION NO. 11947 OF 2017

IN FA/3321/2015

SITARAM BHIKA KHADKE (DIED) THR LRS BALIRAM SITARAM
KHADKE

VERSUS

THE AREA MANAGER, M.I.D.C. JALGAON MIDC, JALGAON &
ORS...

Advocate for Applicants : Mr. Kale Ajeet B.
AGP for Respondent Nos.2 and 3: Mr. B. A. Shinde
Advocate for Respondent No.1 : Mr. S. S. Dande

CORAM : K. L. WADANE, J.

DATE : 19th December, 2017

ORDER:

1. Heard learned counsel for the parties.
2. Learned counsel for the applicants has tendered across the bar copies of orders passed by this Court in the similar matters arising out of the same award. The same are taken on record and marked as Exhibit "X" Colly. for identification purpose.
3. The learned counsel for the respondent-Acquiring Body MIDC fairly conceded to pass similar order in the present applications.

4. In view of aforesaid submissions and for the reasons stated in the applications, the applications are allowed.

5. The applicants are allowed to withdraw 25% of the amount deposited in this Court on furnishing undertaking to the satisfaction of Registrar(Judicial) of this Court that in case adverse situation arises in the appeal on adjudication of the same, the applicants would deposit the entire decretal amount forthwith as directed by this Court.

6. The applicants are further allowed to withdraw balance 75% amount deposited in this Court on furnishing solvent surety or bank guarantee of like amount of any nationalized bank or scheduled bank.

4. Accordingly the applications stand disposed of.

(K. L. WADANE, J.)

JPC