

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

27 CIVIL APPLICATION NO. 11385 OF 2017
IN FA/4014/2016

RAMKRISHNA GIRDHAR KALE DECEASED THR LRS DASHRATH
DECEASED THR LRS NALINI DASHRAT
VERSUS
THE AREA MANAGER, M.I.D.C. JALGAON MIDC, JALGAON AND ORS

Advocate for Applicant : Mr. Ajeet B. Kale (VP Not Filed)
Advocate for respondent No. 1: Mr. S.S. Dande
AGP for Respondent No. 2: Mr. S.R. Yadav

CORAM : K.K. SONAWANE, J.

DATED : 13th NOVEMBER, 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 application.
4. In view of aforesaid submissions and for the reasons stated in the application, the same is allowed. 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. 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 of scheduled bank.
4. Accordingly the application stands disposed of.

Sd/-

**[K. K. SONAWANE]
JUDGE**

MTK