

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

**7 CIVIL APPLICATION NO. 11766 OF 2017 IN FA/3594/2016
WITH CA/11767/2017 IN FA/3595/2016
WITH CA/11768/2017 IN FA/3606/2016**

POPAT BALASAHEB PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicant : Mr. L. C. Patil a/w. Mr. V. D. Sapkal.
AGP for Respondents No.1 and 2 : Mr. B. V. Virdhe.
Advocate for Respondent No.3 : Mr. A. N. Gaddime.

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8 CIVIL APPLICATION NO. 11769 OF 2017 IN FA/3635/2016

KONDIBA MARUTI MAGAR AND ANR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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9 CIVIL APPLICATION NO. 11770 OF 2017 IN FA/3639/2016

SHIVAJI BALIRAM MAGAR THR LRS ANUSAYABAI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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10 CIVIL APPLICATION NO. 11771 OF 2017 IN FA/3638/2016

ASHABAI SHIVAJI MAGAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

11 CIVIL APPLICATION NO. 11772 OF 2017 IN FA/3636/2016

ANUSAYABAI BALIRAM MAGAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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12 CIVIL APPLICATION NO. 11774 OF 2017 IN FA/3637/2016

BHAGWAT JAYAWANTA MAGAR THR LRS SUMANBAI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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**13 CIVIL APPLICATION NO. 11775 OF 2017 IN FA/3584/2016
WITH CA/11776/2017 IN FA/3585/2016
WITH CA/11777/2017 IN FA/3586/2016**

BAPUSAHEB KESHAVRAO PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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CORAM : K.K. SONAWANE, J.

DATED : 12TH OCTOBER, 2017.

Order :-

Heard learned counsel for applicants-original claimants, learned AGP for the respondents No.1, 2 State of Maharashtra and learned counsel for respondent No.3 – Acquiring Body. Perused the applications.

2. Learned counsel for the applicants submits that by Order dated 16th September, 2017, passed in Civil Application No. 12359 of 2016 in First Appeal No. 267 of 2016, this Court has permitted the applicants therein to withdraw the amount of compensation deposited before this Court on certain conditions. Those applications also arise from the same Award.

3. Learned counsel for the respondent- Acquiring Body has also not disputed this position.

4. In view thereof, I deem fit it appropriate to allow the applicant/s (original claimant/s) to withdraw 50 % of the amount of compensation deposited by the respondent- Acquiring Body on submitting an undertaking that in the event, any adverse Order is passed against them and amount of compensation is decreased, they will redeposit the said amount within two months thereafter.

The balance 50 % amount is permitted to be withdrawn by furnishing a Bank Guarantee from Nationalized or Scheduled Bank in the like amount.

5. Accordingly, Civil Applications for withdrawal of amount stand disposed of.

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

rrd.