

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 13306 OF 2016
IN
FIRST APEAL NO. 2193 OF 2016

Pawan Deelip Madne
& others

Applicants

Versus

Maharashtra Industrial Development
Corporation
& others

Respondents

Mr. R.R. Kulkarni, advocate for the applicants.
Ms. R.P. Gour, . AGP for Respondent nos 2 and 3.
Mr. S.S. Dande, advocate for respondent no. 1.

CORAM : R.M.BORDE &

P. R. BORA, JJ.

DATE : 24th MARCH, 2017

PER COURT:

1. Instant appeal arises out of the same section 4 notification as in the case of Civil Application no. 13348/2016 in First Appeal No. 2192/2016.

2. For the reasons recorded while disposing of aforesaid civil application, instant civil application stands allowed. The acquiring body has deposited 75% amount out of the amount awarded by the reference Court. Applicants shall be permitted to withdraw 50% of the amount already deposited by the acquiring body in this Court. Out of the permissible withdrawal of 50% by the applicants, 25% withdrawal shall be permitted without furnishing bank guarantee

or any solvent security, however, subject to tendering an undertaking to the effect that in the event of success of appeal, applicants shall redeposit the amount within a period of eight weeks from the date of such decision and the remaining 25% amount shall be permitted to be withdrawn on furnishing solvent security or bank guarantee. The balance 50% amount out of the 75% amount deposited by the acquiring body shall be invested in Nationalised Bank initially for a period of three years and the bank guarantee shall be renewed thereafter until disposal of the appeal.

3. With the directions as above, civil application stands disposed of.

(P. R. BORA)
JUDGE

(R.M.BORDE)
JUDGE

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