

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

CIVIL APPLICATION NO. 12432 OF 2017 IN FA/4300/2016

GAYABAI JAIRAM WAGH AND ANOTHER
VERSUS
THE DEPUTY COLLECTOR, LAND ACQUISITION JP-1, OFFICER/COLLECTOR,
AURANGABAD AND ANOTHER

...
Advocate for Applicants : Mr. D. A. Bide h/f. Mr. V. B. Wayal.
AGP for Respondent No.1 : Mr. S. R. Yadav-Lonikar.
Advocate for Respondent No.2 : Mr. S. G. Bhalerao.

...
WITH CIVIL APPLICATION NO. 12435 OF 2017 IN FA/4401/2016

...
CORAM : K.K. SONAWANE, J.
DATED : 04TH OCTOBER, 2017.

Order :-

Heard learned counsel for the applicants and learned counsel for respondent- Acquiring Body. Perused the applications.

2. In view of the nature of subject matter as well as findings expressed by the learned Reference Court, I do not find any impediment to allow the applicants for withdrawal of some part of the compensation amount, which would sub-serve the purpose in the interest of justice. Hence, civil applications stand allowed. The applicants-original claimants are permitted to withdraw the 50 % of the amount deposited in this Court on furnishing undertaking to the satisfaction of Registrar (Judicial) of this Court to the effect that, in case any adverse situation arises after adjudication of appeal on merit, the applicants-original claimants will refund the amount received forthwith as per direction, if any, of this Court. The remaining 25 % of the amount deposited in this Court be allowed to be withdrawn on furnishing one solvent surety of like amount and rest of the 25 % i.e. remaining balance amount be invested in the Nationalized Bank in Fixed Deposit Receipts Account for a period of two (2) years or till disposal of the appeals on merit, whichever is earlier. Accordingly, civil applications stands disposed of in above terms.

[K. K. SONAWANE]
JUDGE

rrd.