

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

CIVIL APPLICATION NO. 16450 OF 2016 IN FA/3697/2016

BANSI MOKINDRAO WAKLE
VERSUS
THE EXECUTIVE ENGINEER, MAJALGAON CANAL
DIVISION NO.10 PARBHANI UNDER GMIDC AURANGABAD
AND OTHERS.

...
WITH
CA/16451/2016 IN FA/3698/2016
WITH
CA/16452/2016 IN FA/3696/2016

...
Advocate for Applicant : Mr Bhise Vitthal D.
AGP for Respondents: Mr C V Dharurkar
Advocate for Respondent 2 : Mr B.R. Surwase

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CORAM : V.K. JADHAV, J.
Dated: May 05, 2017
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PER COURT :-

1. The learned counsel for the applicant submits that, this Court by order dated 10.8.2016 permitted the applicants from the same group of appeals to withdraw the amount deposited by the acquiring body on certain conditions. Learned counsel submits that, the applicants herein may also be permitted to withdraw the amount of compensation on the same conditions.

2. Learned counsel for respondent-Acquiring body has not disputed this position.

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3. In view of the above, the applicants are permitted to withdraw 80% of the amount deposited by the acquiring body in the respective appeals on furnishing an undertaking by the respective claimants that they will re-deposit the amount in the event of any adverse order passed against them, within the time which may be provided by this Court at the relevant time. The remaining 20% amount be invested in FDR for the period until disposal of the appeals.

4. Respective civil applications for withdrawal of the amount stand disposed of.

(V.K. JADHAV, J.)

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