

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CA NO.16285 OF 2016

**6 CIVIL APPLICATION NO. 16285 OF 2016
IN
FA/3699/2016
WITH
CA/16286/2016 IN FA/3700/2016**

UKANDI KISHAN KAMBLE
VERSUS
THE EXECUTIVE ENGINEER, MAJALGAON CANAL DIVISION NO 10
PARBHANI UNDER GMIDC AURAN

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Advocate for Applicants :Mr.V.B.Jogdand Patil h/f
Mr. Bhise Vitthal D.
AGP for Respondent State:Mr.R.B.Bagul
Mr. B.R. Surwase, Adv., for R/1.

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CORAM : P.R. BORA, J.
Dated: June 16, 2017
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PER COURT :-

1. Learned Counsel for the applicant submits that in companion matters, this Court has permitted the original claimants to withdraw 80 per cent of the amount deposited by the appellant in this Court. Learned Counsel has placed on record one of such order passed by this Court on 10th of August, 2016 in C.A.No.10657/2016. Shri Surwase, learned Counsel appearing for the acquiring body has not disputed correctness of the fact stated by the Counsel for the applicant. Shri Surwase, learned Counsel further submits that he has no objection if the applicants / original claimants are permitted to withdraw the amount in the same manner as was directed by this Court in earlier matters.

agp/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
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(2)

CA NO.16285 OF 2016

2. In view of the above, the applicants are permitted to withdraw 80 per cent of the amount deposited by the acquiring body in the present appeals on furnishing an undertaking by respective claimants that in the event any adverse order is passed against them, they will re-deposit the said amount within four months of passing such order. Balance 20% amount be invested in Fixed Deposit Receipt of any Nationalized Bank, initially for a period of two years and if so required for further period till disposal of the appeal. Both the Civil Applications for withdrawal of amount stand disposed of in above terms.

(P.R. BORA, J.)

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