

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

904 CIVIL APPLICATION NO. 15463 OF 2017
IN FA/3481/2016

NANASAHEB DNYANDEO NAIKNAWARE AND ANR
VERSUS
THE EX. ENGINEER, MINOR IRRIGATION DIVISION, OSMANABAD AND
ANR

...
Advocate for Applicants : Mr. Ramesh V. Naiknavare
AGP for Respondent No. 2 : Mr. B.V. Virdhe
Advocate for Respondent No 1 : Mr. D.A. Madake h/f Mr. P.R. Tandale
...

WITH CA/15464/2017 IN FA/3480/2016
WITH CA/15465/2017 IN FA/3482/2016
WITH CA/15466/2017 IN FA/3483/2016

CORAM : K.K. SONAWANE, J.

DATED : 22nd DECEMBER, 2017.

Order :-

1. Heard learned counsel for appearing parties. Present applications are moved by the applicants-original claimants for withdrawal of the amount deposited by respondent-Acquiring Body.
2. Learned counsel for the respondent - Acquiring Body raised objection and submits that there is no plausible reasons/ground mentioned in the applications for withdrawal of the amount, therefore, he prayed to reject the applications. Learned AGP prayed for suitable orders.
3. Perused the applications. I have also considered the rival submissions of both sides. In view of the nature of subject-matter, the applicants are permitted to withdraw 50% of amount deposited by

respondent-Acquiring Body in these appeals on furnishing undertaking for the satisfaction of the Registrar(Judicial) of this Court, to the effect that, in case, adverse situation, if any, arises after adjudication of the appeals on merit, they will deposit the amount forthwith as per orders of this Court. The rest of 25% of amount is allowed to be withdrawn on furnishing solvent surety of like amount and remaining 25% balance amount be invested in FDRs account in any Nationalized Bank for a period of two years or till adjudication of the appeals, whichever is earlier.

4. In the light of above, the civil applications stand disposed of accordingly.

Sd/-
[K. K. SONAWANE]
JUDGE

MTK.