

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 15175 OF 2017
IN
FIRST APPEAL NO. 3698 OF 2016
SHIVAJI AMBADAS AKAT
VERSUS
EXECUTIVE ENGINEER, MAJALGAON CANAL DIVISION NO.10 PARBHANI UNDER
GMIDC AURANGABA

...
Advocate for Applicant : Mr. V.B. Jogdand Patil h/f Mr. V.D. Bhise
Adv. for Respondents : Mr. B.R. Surwase
...

CORAM : K.K. SONAWANE, J.

DATE : 18th December, 2017.

PER COURT:

Heard learned counsel for the applicant and learned counsel for respondent Acquiring Body as well as AGP for State.

2] This is an application for seeking permission to withdraw the amount. The learned counsel for applicant submits that this court allowed other applicants from the same group to withdraw the amount deposited in the court in lieu of compensation for their acquired land. He prayed to pass similar order in the interest of justice. He produced the copy of the order passed by this Court dated 5.5.2017, which is marked "X" for the purpose of identification.

3] In view of the submission, there is no impediment to allow the application for withdrawal of amount as the matter is similar in nature like the other appeals from the same group. Hence, the applicants are permitted to withdraw 80% of the amount deposited in this court on behalf of the Acquiring Body on furnishing an undertaking to the satisfaction of the Registrar (Judicial) of this Court to the effect that in case any adverse

situation arises in the appeal, the amount will be refunded forthwith, as per the direction of this court. Rest of the 20% amount be invested in a Fixed Deposit Receipt for a period of two years or till final disposal of the appeal on merit, whichever is earlier. Registrar (Judicial) to do the needful for disbursement of the amount, as directed above. Civil application stands disposed of accordingly.

[K.K.SONAWANE, J]

grt/-