

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

20 CIVIL APPLICATION NO. 14402 OF 2017
IN FA/3798/2016

DATTU TATYABA KADE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Advocate for Applicant : Patil Laxmikant C.
AGP for Respondent No. 1: Mr. S.R. Yadav
Advocate for Respondents No. 2 and 3 : Mr. A.N. Gaddime
.....

WITH CA/14403/2017 IN FA/3800/2016
WITH CA/14404/2017 IN FA/3801/2016
WITH CA/14406/2017 IN FA/3799/2016
...

CORAM : K.K. SONAWANE, J.

DATED : 4th DECEMBER, 2017.

Order :-

1. Heard learned counsel for applicants-original claimants. Learned AGP for respondents No. 1 and 2 and learned counsel for respondent No. 3.
2. Perused the applications. Learned counsel for the applicants-claimants submits that this court under order dated 12th October, 2017 passed in Civil Application No. 7 of 2013 in First Appeal No. 3594 of 2016 and other companion matters has permitted the applicants therein to withdraw the amount of compensation deposited before this Court on certain conditions. Those applications are also arising from the same Award.
3. Learned counsel for the respondent-Acquiring Body has also not disputed this position.

4. In view thereof, I deem fit to allow the applicants-original claimants to withdraw 50% of the amount of compensation deposited by the respondent - Acquiring Body on submitting an undertaking that in the event, any adverse order is passed against them and amount of compensation is decreased, they will redeposit the said amount within two months thereafter.

5. The balance 50% amount is permitted to be withdrawn by furnishing a Bank Guarantee from Nationalized or Scheduled Banks in the like amount. It is to be noted that there would not be any further modification of any kind into order.

6. Accordingly, civil applications for withdrawal of amount stand disposed of.

Sd/-

[K. K. SONAWANE]
JUDGE

mtk.