

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

924 CIVIL APPLICATION NO. 347 OF 2017
IN FA/1146/2010 WITH CA/12326/2011 IN FA/1310/2010 WITH
CA/12334/2011 IN FA/1316/2010 WITH CA/326/2017 IN
FA/1151/2010 WITH CA/346/2017 IN FA/1147/2010 WITH
CA/348/2017 IN FA/1145/2010 WITH CA/350/2017 IN
FA/1144/2010 WITH CA/351/2017 IN FA/1143/2010 WITH
CA/353/2017 IN FA/1316/2010 WITH CA/354/2017 IN
FA/1141/2010 WITH CA/355/2017 IN FA/1142/2010 WITH
CA/356/2017 IN FA/1150/2010 WITH CA/357/2017 IN
FA/1149/2010 WITH CA/358/2017 IN FA/1148/2010 WITH
CA/359/2017 IN FA/1310/2010

**SIDRAMAPPA BHUJANGRAO BIRAJDAR
VERSUS
THE MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION
THR ITS REGIONAL MANAGER,LATUR**

Advocate for Applicant : Kale Ajeet B.
A.G.P for the State : Mr. Y.G.Gujarathi

CORAM : **R.D. DHANUKA &
SUNIL K. KOTWAL,JJ.**
DATED : 28-09-2017.

PER COURT :-

These are the applications presented by applicant/original claimants seeking direction to the respondent-acquiring body to deposit remaining 50% of the enhanced compensation in this Court and to permit the applicant to withdraw the said amount.

2. Learned counsel for the applicant invited our attention to the order passed by this Court, permitting the applicant to withdraw 50% amount deposited by the acquiring body in this Court, pursuant to an order dated 16th April, 2010 in this Court. He also fairly invited our

(2)

attention to the order passed by the Supreme Court on 17th October, 2014 in Spl. Leave Petition No. 16489-16499 of 2014 arising out of the order passed by this Court in various Civil Applications on 15th October, 2010 permitting application to withdraw 50% amount as deposited by acquiring body.

3. Our attention is also invited to the order dated 27th September, 2013, passed by the division bench of this Court in Civil Application No. 3686 of 2013 in First Appeal No. 1311 of 2010 and other companion matters, rejecting those Civil Applications in which the applicant has prayed for direction against the acquiring body to deposit remaining decretal amount. Being aggrieved by the said order dated 27th September, 2013 by this Court, the claimant had filed various Spl. Leave Petition before the Supreme Court, which came to be dismissed on 3rd February, 2014.

4. We are thus not inclined to grant any relief in favour of the applicant to direct acquiring body to deposit balance 50% amount or to grant permission to applicant to withdraw any such amount. Civil Application is accordingly dismissed. No order as to costs.

(SUNIL K. KOTWAL)
JUDGE

(R.D. DHANUKA)
JUDGE

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