

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 151 OF 2017
IN FA/3689/2016

VAIJINATH YADAVRAO AKAT
VERSUS
THE EXECUTIVE ENGINEER NIMNA DUDHNA PRAKALP, SELU
PRESENTLY JALNA IRRIGATION DIV.

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Advocate for Applicant : Shri V.D. Hon , senior counsel i/b Mr. A.V. Hon
Advocate for Respondent No.1: Mr. S.C.Arora
Advocate for Respondents 2 and 3: Mr. C.V. Dharurkar
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CORAM : V. K. JADHAV, J.
DATED : 16th JANUARY, 2017

PER COURT:-

1. Heard learned counsel for the applicant and learned counsel appearing for the respondent acquiring body.
2. Learned counsel for the applicant submits that the applicant at present is 87 years old and is not getting fruits of decree. Learned counsel for the respondent acquiring body has strongly resisted the application on the ground that the Reference Court has awarded exorbitant compensation. Considering the above submissions and considering the age of the applicant, the applicant is permitted to withdraw 50% amount, out of the amount deposited before this Court, on condition that for 25% the applicant shall furnish undertaking to the satisfaction of Registrar (Judicial) of this Court and

for remaining 25% on furnishing solvent security. The remaining amount of 50%, deposited in this Court, shall be invested in fixed deposit, in any Nationalized Bank, initially for a period of three years and until further orders, the said fixed deposit be renewed thereafter from time to time. Civil application is disposed of.

(V. K. JADHAV, J.)

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