

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION NO.14 OF 2017
WITH
CROSS OBJECTION NO.6084 OF 2015
IN
FIRST APPEAL NO.1315 OF 2014
WITH
CROSS OBJECTION NO.6087 OF 2015
IN
FIRST APPEAL NO.1316 OF 2014
WITH
CROSS OBJECTION NO.6092 OF 2015
AND
CIVIL APPLICATION NO.15 OF 2017
IN
FIRST APPEAL NO.1317 OF 2014
WITH
CROSS OBJECTION NO.6094 OF 2015
AND
CIVIL APPLICATION NO.16 OF 2017
IN
FIRST APPEAL NO.1318 OF 2014
WITH
CROSS OBJECTION NO.6097 OF 2015
AND
CIVIL APPLICATION NO.17 OF 2017
IN
FIRST APPEAL NO.1319 OF 2014
WITH
CROSS OBJECTION NO.6099 OF 2015
AND
CIVIL APPLICATION NO.18 OF 2017
IN
FIRST APPEAL NO.1320 OF 2014**

Gopal Ganu Shelke and Others ...Applicants
vs.
The State of Maharashtra and Others ...Respondents

Mr. Mandar Limaye, for the Applicants
Mr. A.A. Palkar, AGP for the Respondent-State.

**CORAM : SHANTANU S. KEMKAR &
M. S. SONAK, JJ.**

DATE : JUNE 29, 2017

P.C.:

. Parties through their counsel.

2. Having heard learned counsel for the parties on the Civil Applications, we recall the order passed by the Division Bench of this Court on 29th January, 2015 to the extent it permitted the Respondents to withdraw 75% of the amount on furnishing solvent surety/security to the satisfaction of the Reference Court.

3. Keeping in view that in First Appeal No. 13 of 2016 with Cross Objection (St.) No. 22285 of 2007 which was decided on 16th a and 23rd September, 2015 this Court has taken a view that “the entitlement to the compensation would be at the rate of Rs.387/- per sq. mtr., we modify the order to the extent that, the Respondents are permitted to withdraw 30% amount deposited by

the Appellants on submitting an undertaking before the Reference Court to the effect that in case it is required the Respondents shall deposit back the said amount so withdrawn.

4. The balance amount be invested in fixed deposit account of the nationalized bank initially for a period of three years and the same be renewed from time to time during the pendency of the Appeal.

5. The Civil Applications are disposed of as such.

(M. S. SONAK, J.)

(SHANTANU S. KEMKAR, J.)