

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

CIVIL APPLICATION NO.3508 OF 2018
IN
FIRST APPEAL NO. 3609 OF 2016

Saudagar Bhanudas Bore .. Applicant

versus

The State of Maharashtra and others .. Respondents

WITH
CIVIL APPLICATION NO. 3509 OF 2018
IN
FIRST APPEAL NO.3608 OF 2016
WITH
CIVIL APPLICATION NO. 3511 OF 2018
WITH
IN
FIRST APPEAL NO. 3607 OF 2016
WITH
CIVIL APPLICATION NO. 3524 of 2018
IN
FIRST APPEAL NO. 3576 OF 2016
WITH
CIVIL APPLICATION NO. 3525 OF 2018
IN
FIRST APPEAL NO. 3578 OF 2016
WITH
CIVIL APPLICATION NO. 3526 OF 2018
IN
FIRST APPEAL NO. 3577 OF 2016
WITH
CIVIL APPLICATION NO. 3253 OF 2018
IN
FIRST APPEAL NO. 2949 OF 2017
WITH
CIVIL APPLICATION NO. 3254 OF 2018
IN
FIRST APPEAL NO. 2948 OF 2017

WITH
CIVIL APPLICATION NO. 3263 OF 2018
IN
FIRST APPEAL NO. 2952 OF 2017
WITH
CIVIL APPLICATION NO. 3264 OF 2018
IN
FIRST APPEAL NO. 2950 OF 2017
WITH
CIVIL APPLICATION NO. 3265 OF 2018
IN
FIRST APPEAL NO. 2947 OF 2017

Mr. L. C. Patil, and Mr. S. G. Karlekar, Advocates for applicants in respective civil applications
Mr. A. D. Namde, Assistant Government Pleader for respondent-State
Mr. A. N. Gaddime for respondent no. 2 and 3 in respective civil applications.

CORAM : SUNIL P. DESHMUKH, J.
DATE : 9th March, 2018

ORDER :

1. Learned counsel for applicants submit that quite a few civil applications of similar nature have been allowed. They refer to that the appeals concern very same notification as in those matters.

2. As a matter of fact, according instructions of learned counsel, the award is also passed on the same date and the lands involved are also from same locality and village and as such they expect similar treatment to the present applications for withdrawal of amount as has been meted out to civil application no.11766 of 2017 in first appeal no. 3594 of 2016

and civil application no. 590 of 2017 in first appeal no. 35 of 2016 and companion matters under orders passed on 12-10-2017 and 28-04-2017 respectively.

3. Learned Assistant Government Pleader and learned counsel for acquiring body do not dispute aforesaid position.

4. In view of aforesaid, present civil applications for withdrawal of amount are granted. Applicants are allowed to withdraw fifty per cent of the amount of compensation deposited in this court by the acquiring body on submitting undertakings that in the event any adverse decision is rendered in the appeals or the amount of compensation is decreased, they will deposit / pay back said amount in this court within a period of three months from the date of decision in the appeals. Balance fifty per cent of the amount is permitted to be withdrawn on applicants furnishing bank guarantees of a nationalized bank or scheduled bank of the like amount.

5. Civil applications are disposed of.

SUNIL P. DESHMUKH,
JUDGE

pnd/-

