

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3243 OF 2018
IN FA/3115/2017

GANGADHAR DIGAMBER TIGILE
VERSUS
M.I.D.C., THR DIR. OFFICER, LATUR AND ORS

...
Mr. S.S. Chillarge, Advocate for applicant
Mr. G.S. Khaire, Advocate h/f Mr. S.S. Dande, Advocate for
respondent no.1
Mr. S.P. Deshmukh, AGP for respondent no.2
Mr. S.V. Natu, Advocate for intervenor
...

CORAM : SUNIL P. DESHMUKH, J.
DATE : 06-04-2018

ORDER :

1. Heard learned counsel for appearing parties including learned counsel for intervenor. Learned counsel for intervenor has no particular objection for granting the application filed for withdrawal of amount of compensation deposited in this court by acquiring body.
2. Learned counsel for the applicant as well as acquiring body state that under order dated 04-07-2017 passed by this court in civil application no. 4156 of 2017, applicant therein has been allowed to withdraw entire amount deposited. Learned counsel for respondent no. 1 does not dispute the position.

3. In the circumstances, it would be expedient that the applicant be permitted to withdraw 75% of deposited amount with accruals, on following conditions:-

I) The applicant is permitted to withdraw 25% of the deposited amount along with accrued interest, on furnishing an undertaking to the satisfaction of the Registrar (Judicial) of this Court.

(II) The applicant is permitted to withdraw further 25% of the deposited amount along with accrued interest, on furnishing solvent surety in the like amount to the satisfaction of the Registrar (Judicial) of this Court.

(III) The further 25% of the amount deposited along with accrued interest, is also permitted to be withdrawn by the applicant, on furnishing continuing bank guarantee of a nationalized bank or scheduled bank in the like amount to the satisfaction of the Registrar (Judicial) of this Court.

4. Balance of remaining 25% of the amount along with accrued interest, be invested in a nationalized bank in Fixed Deposit Receipt (FDR) initially for a period of two years and if required, till disposal of appeal.

5. Civil Application stands disposed of.

[SUNIL P. DESHMUKH]
JUDGE

arp/