

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

CIVIL APPLICATION NO. 3858 OF 2018
IN
FIRST APPEAL NO. 1802 OF 2016

Sheshrao Wamanrao Giram, deceased,
through his legal heirs :

a. Saraswati w/o Sheshrao Giram
and others .. Applicants

versus

The Executive Engineer,
Lower Dudhna Project, Selu
and others .. Respondents

WITH
CIVIL APPLICATION NO. 3859 OF 2018
IN
FIRST APPEAL NO. 1988 OF 2016

Suresh Haribhau Mirge and another .. Applicants

versus

The Executive Engineer,
Lower Dudhna Project, Selu
and others .. Respondents

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Mr. Deepak M. Kakade, Advocate for applicants
Mr. P. R. Tandale, Advocate for respondent no.1
Mr. A. M. Phule, Asstt. Government Pleader for Respondent no.2

CORAM : SUNIL P. DESHMUKH, J.
DATE : 13th April, 2018

ORDER :

1. Heard learned counsel for applicants, original claimants,
learned counsel for respondent no.1 – acquiring body and learned
Assistant Government Pleader for respondent no. 2 – State.

2. There is no dispute over that the first appeals filed by acquiring body against awards by land acquisition reference court have been withdrawn. Initially the claimants are stated to have been allowed to withdraw seventy five per cent of the amount deposited on furnishing undertaking and rest of the amount is invested in fixed deposit receipts till decision in the first appeals.

3. In view of aforesaid, while there is no dispute that first appeals have been withdrawn, it would be expedient to allow applicant to withdraw remaining amount deposited by acquiring body in this court in respect of land acquisition reference award passed for compensation towards acquisition of lands of applicants.

4. Having regard to above, applicants are at liberty to withdrawn balance amount of compensation lying deposited in this court with interest accrued thereon.

5. Civil applications are disposed of.

SUNIL P. DESHMUKH,
JUDGE

pnd