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

**CIVIL APPLICATION NO.7647 OF 2018
IN
FIRST APPEAL NO.1 OF 2018**

Dnyanoba Narsappa Panale,
Age: 65 years, Occu: Agril.,
R/o. Harabngul (Bk),
Tq. & Dist. Latur & anr.

..APPLICANTS

VERSUS

The Regional Officer,
Maharashtra Industrial Development
Corporation, Latur & ors.

..RESPONDENTS

Mr V. D. Gunale, Advocate for applicants;
Mr S. S. Dande, Advocate for respondent No.1;
Mr S. W. Munde, A.G.P. for respondent Nos.2 & 3

**CORAM : PRASANNA B. VARALE
AND
S. M. GAVHANE, JJ.**

DATE : 22nd June, 2018

ORAL ORDER:

Heard Mr Gunale, learned Counsel for applicants, Mr Dande, learned Counsel for respondent No.1 and learned A.G.P. for respondent Nos.2 and 3.

2. By way of present application, applicants pray for withdrawal of the amount. Our attention is invited to the order of this Court, dated 6th October, 2017. It is submitted before us that the application filed by the

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applicants for grant of interim orders was allowed, subject to applicants depositing entire amount of award with interest in this Court within a stipulated period of 12 weeks.

3. Mr Gunale, learned Counsel for the applicants submitted that the said amount is deposited by the appellant in this Court. Mr Dande, learned Counsel appearing on behalf of respondent No.1 submitted that the entire amount deposited in this Court by the appellant is Rs.9,67,96,773/-.

4. Learned Counsel Mr Dande opposes the application.

5. Considering the grounds raised by the applicants, more particularly the financial constraints of these applicants, whose only source of livelihood i.e. their agricultural land is acquired and there is no other source of income to them and they are in need of financial assistance, so as to clear all the dues and loan obtained from the financial institutes or the Banks, the application is partly allowed.

6. The applicants are permitted to withdraw an amount of Rs. 2 Crores (Two Crores only) out of the amount deposited in this Court by the appellant.

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7. The applicants to submit the undertaking to this Court within a period of eight weeks that in case, if the appellant succeeds in the appeal, the applicants would repay the amount to the appellant.

8. Learned Counsel Mr Gunale prays for a liberty to approach before this Court in future, in case, if the applicants are in need of some financial assistance and to pray for withdrawal of amount. The applicants are at liberty to approach before this Court in future for seeking withdrawal of the amount.

The civil application is disposed of accordingly.

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)

sjk