

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

923 CIVIL APPLICATION NO. 8007 OF 2018

IN FA/3698/2017 WITH CA/8009/2018 IN FA/3699/2017 WITH CA/8010/2018
IN FA/3688/2017 WITH CA/8011/2018 IN FA/3701/2017 WITH CA/8012/2018
IN FA/3691/2017 WITH CA/8013/2018 IN FA/3690/2017 WITH CA/8014/2018
IN FA/3689/2017 WITH CA/8015/2018 IN FA/3684/2017 WITH CA/8016/2018
IN FA/3695/2017 WITH CA/8017/2018 IN FA/3696/2017 WITH CA/8018/2018
IN FA/3697/2017 WITH CA/8019/2018 IN FA/3686/2017 WITH CA/8020/2018
IN FA/3685/2017 WITH CA/8021/2018 IN FA/3700/2017 WITH CA/8022/2018
IN FA/3694/2017 WITH CA/8023/2018 IN FA/3683/2017 WITH CA/8024/2018
IN FA/3692/2017 WITH CA/8025/2018 IN FA/3693/2017 WITH CA/8026/2018
IN FA/3687/2017

SAHEBRAO MATTU BALLAL
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for Applicant : Mr. Vitthal B Wayal
AGP for Respondents: Ms. S.S. Raut.

CORAM : K.K. SONAWANE, J.
DATE : 27TH JUNE , 2018.

PER COURT:

- 1] Heard learned counsel for the applicants and learned AGP for respondent State of Maharashtra.
- 2] Perused the applications.
- 3] The present applications are filed seeking permission to withdraw the amount of compensation deposited in this court under Land Acquisition Proceeding. Admittedly, land of the applicants came to be acquired by the respondent for public purpose. The Reference Court has considered the entire facts and circumstances and partly allowed the reference petition. Pursuant to the order of the Reference Court the

respondent Acquiring Body has deposited the entire decretal amount in this appeal.

4] Considering the nature of subject matter, there is no impediment to allow the applicants to withdraw the amount subject to compliance of certain terms and conditions.

5] Accordingly, the application stands allowed. The applicants are permitted to withdraw 50% of the amount on furnishing an undertaking to the satisfaction of the Registrar (Judicial) of this Court, to the effect that in case adverse situation arises in the appeal, the applicants will refund the amount forthwith as per the directions of this Court. Rest of the 50% amount be allowed to be withdrawn on furnishing solvent security/surety of the like amount. Registry to do the needful for disbursement of amount as referred supra, in favour of the applicants. Applications for withdrawal of amount stand disposed of accordingly.

[K.K. SONAWANE]
JUDGE.

grt/-