

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

**CIVIL APPLICATION NO. 9320 OF 2018
IN
FIRST APPEAL NO. 1034 OF 2015**

Shaikh Kadir Shaikh Umar ... Applicant

VERSUS

The State of Maharashtra & Ors. ... Respondents

**WITH
CIVIL APPLICATION NO. 9321 OF 2018
IN
FIRST APPEAL NO. 1038 OF 2015**

Tamijbi Fazaloddin Quazi @ Tahezib
Begam Fajaloddin Quazi & Ors. ... Applicants

VERSUS

The State of Maharashtra & Ors. ... Respondents

**WITH
CIVIL APPLICATION NO. 9319 OF 2018
IN
FIRST APPEAL NO. 1035 OF 2015**

Shaikh Rauf Shaikh Abdul Majid @ Alias
Abdul Rauf Abdul Majeed QureshiApplicant

VERSUS

The State of Maharashtra & Ors. ... Respondents

**WITH
CIVIL APPLICATION NO. 9318 OF 2018
IN
FIRST APPEAL NO. 2480 OF 2015**

Shaikh A. Majid Shaikh UmrApplicant

VERSUS

The State of Maharashtra & Ors.

... Respondents

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In all matters:

Mr Arun Koralkar, Advocate for the applicant

Mr S. N. Morampalle, AGP for respondent No. 1

Mrs Kalpalata B. Bharaswadkar, Advocate for respondent No. 3

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CORAM : A. M. DHAVAL, J.**DATE : 25TH JULY, 2018.****PER COURT :-**

1. Heard learned counsel appearing for the respective parties.
2. Mrs Kalpalata Bharaswadkar, learned counsel for respondent No. 3 submits that, the compensation awarded is exorbitant and, therefore, the appeal has been preferred.
3. Mr Arun Koralkar, learned counsel for the applicant submits that, in similar matters, this Court has permitted withdrawal of amount on certain conditions.
4. After considering the facts, I permit the applicants to withdraw 50% of the decretal amount on submitting personal undertaking to this Court that, in the event the appeals are allowed

the applicants shall redeposit the entire amount withdrawn with interest within one month from the date of the order of the Court. I allow the applicants to withdraw further 25% amount subject to furnishing solvent security to the satisfaction of the Registrar (Judicial). The remaining 25% of the amount shall be kept in fixed deposit of any nationalized bank.

5. The Civil Applications stand disposed of accordingly.

[A. M. DHAVAL]
JUDGE

Punde