

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

CIVIL APPLICATION NO. 10306 OF 2018 IN FAST/8839/2013

DEEPAK KISANRAO WAGH
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Advocate for Applicant : Mr. Kumar Gaurav M. More
AGP for Respondent Nos.1 and 2 : Mr. S. P. Deshmukh
Advocate for Respondent No.3 : Mr. B. R. Surwase

...
WITH CA/9986/2018 IN FAST/25543/2013
WITH CA/9987/2018 IN FAST/25546/2013
WITH CA/10307/2018 IN FAST/8842/2013

...
CORAM : SUNIL K. KOTWAL, J.

DATED : 27th SEPTEMBER, 2018.

ORDER :-

The applicants (original-claimants) have filed these applications for withdrawal of compensation amount deposited by respondent-Acquiring Body.

2. Heard learned counsel for applicants and respondents.
3. Learned counsel for respondent No.3 submits that entire compensation may not be withdrawn.
4. Considering the Judgment and Award, it is desirable to allow the withdrawal of certain amount to the claimants.
5. Therefore, permission is granted to claimants to withdraw 50 % amount out of deposited amount subject to filing written undertaking in the First Appeals to re-deposit it as and when directed by this Court. Undertaking shall be filed within eight (8) weeks from the date of this Order.

6. Out of remaining amount, 25 % amount allowed to be withdrawn by the claimants on their furnishing solvent surety for the said amount to the satisfaction of Registrar (Judicial).
7. Remaining amount shall be invested in Nationalized Bank for reasonable period by the Registrar (Judicial).
8. Registrar Judicial to act accordingly. Civil Applications are disposed of.

[SUNIL K. KOTWAL]
JUDGE

rrd.