

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

916 CIVIL APPLICATION NO. 11508 OF 2018
IN FAST/23118/2017
WITH CA/11507/2018 IN FAST/23404/2017
WITH CA/11506/2018 IN FAST/23400/2017

RAMESH KRISHNATH KOTHAWALE
VERSUS
THE G.M.I.D.C AURANGABAD THR THR EX. ENGINEER, MINOR
IRRIGATION DIV. OSMANABAD AN

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Advocate for Applicant : Mr. More(nade) Swati P.
Advocate for respondent no.1 : Mr. Tandale P.R.
AGP for applicants : Mr. S.P.Deshmukh

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CORAM : SUNIL K. KOTWAL, J.

DATE : SEPTEMBER 11, 2018

O R D E R :

These Civil Applications are filed for permission to withdraw the amount of compensation deposited by the acquiring body in this Court.

2. Learned counsel for the respondent acquiring body submits that subject to certain conditions, some amount may be permitted to be withdrawn.

3. Considering the dispute in between the parties regarding acquisition of land, it is desirable that the claimants must receive some part of the amount, because for

final adjudication definitely some time will be required.

4. Therefore, permission is granted to withdraw 50 per cent amount out of the amount deposited, subject to filing of written undertaking in the respective First Appeals that the claimants will re-deposit the said withdrawn amount in this Court as and when directed by this Court.

5. Permission is also granted to withdraw the remaining 25 per cent amount subject to filing of solvent surety for the said amount, to re-deposit the withdrawn amount as and when directed by this Court.

6. Remaining 25 per cent amount be invested in any Nationalized Bank till final adjudication of the appeals.

7. The Registrar (Judicial) to take necessary steps in the matter.

8. All Civil Applications are disposed of.

[SUNIL K. KOTWAL, J.]

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