

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

**947. CIVIL APPLICATION NO. 2819 OF 2018 IN
FA/3784/2016 WITH CA/13886/2016 IN FA/3784/2016**

*SOMA MADHAV MALI DECEASED THR LRS EKNATH SOMA MALI
DECEASED THR LRS YADAV EKNATH
VERSUS
THE AREA MANAGER, M.I.D.C. JALGAON MIDC, JALGAON AND
ORS*

Mr Ajeet B. Kale, Advocate for applicants.

Mr A.M. Phule, Asstt. Govt. Pleader for respondents.

CORAM : SUNIL P. DESHMUKH, J.

DATE : 27th April 2018

ORDER :

Learned Counsel appearing for parties point out that this application is a left out matter from the group of Civil Application bearing No. 11390 of 2017 in First Appeal No. 4070 of 2016 and companion applications. The application pertains to withdrawal of compensation amount deposited by acquiring body in this Court in respect of the land acquired under the same notification for same project and is from same village and it is covered under same award and is from the same tract of land as are concerned in civil applications referred to earlier.

2. It, thus, would be expedient that this application may also be given same treatment as had been received by Civil Application No. 11390 of 2017 in First Appeal No. 4070 of 2016 and companion applications. In the circumstances, applicants may be allowed to withdraw 50% of the deposited amount alongwith accrued interest thereon. As such, applicants are permitted to withdraw 50% of the deposited amount alongwith accrued interest, on condition of furnishing undertaking that such withdrawal shall abide by final order in the appeal. Copy of undertaking be furnished to learned Counsel for appellant.

3. Civil Application is, accordingly, disposed of in above terms.

**(SUNIL P. DESHMUKH)
JUDGE.**

Madkar