

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

49 CIVIL APPLICATION NO.13336 OF 2018
IN FA/3121/2016
WITH
CA/13337/2018 IN FA/3122/2016 WITH CA/13338/2018 IN
FA/3120/2016

SARJERAO VITTHALRAO BHOITE AND ORS
VERSUS
THE EXECUTIVE ENGINEER, MEDIUM PROJECT DIVISION,
OSMANABAD THR GMDC AURANGABAD A

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Advocate for Applicants : Mr. Bide Dnyaneshwar A
Mr. S. G. Bhalerao, Adv. For R/1
Mr. P.N. Kulkarni, AGP for Respondents: 2

CORAM : P.R. BORA, J.
DATED : 29th OCTOBER, 2018.

PER COURT:-

1. Learned Counsel appearing for applicants submits that in the companion appeals, this Court (Coram: K.K.Sonawane,J.) has allowed the claimants therein to withdraw 50% of the amount deposited in the Court by the acquiring body on furnishing an undertaking to the satisfaction of Registrar of this court and further permitted to withdraw 25% more amount on furnishing solvent surety by the claimants and balance 25% amount was directed to be invested in Fixed Deposit Receipt. The learned counsel has prayed for similar order in these matters also.

2. Shri Bhalerao, learned counsel appearing

(2)

for the acquiring body does not dispute about correctness of the facts as stated by learned counsel for the applicants claimants. In view of the above, following order is passed, -

ORDER

i. The applicants - claimants in each of the appeals are permitted to withdraw 50% of the deposited amount subject to submitting undertaking to the satisfaction of this Court.

ii. The applicants are further permitted to withdraw 25% amount on furnishing solvent surety/security in the like amount.

iii. Balance 25% amount be invested in FDR in any Nationalized Bank, initially for two years and if so required, till disposal of the appeals.

iv. The Civil Applications for withdrawal of amount stand disposed of.

(P.R. BORA)
JUDGE