

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

970 CIVIL APPLICATION NO. 13653 OF 2018
IN FA/2955/2018 WITH CA/4968/2018 IN FA/2952/2018 WITH
CA/4970/2018 IN FA/2953/2018 WITH CA/4972/2018 IN
FA/2954/2018 WITH CA/4975/2018 IN FA/2955/2018 WITH
CA/4977/2018 IN FA/2956/2018 WITH CA/13654/2018 IN
FA/2954/2018 WITH CA/13655/2018 IN FA/2953/2018 WITH
CA/13656/2018 IN FA/2952/2018 WITH CA/13657/2018 IN
FA/2956/2018

AYYUB MUBARAK JINERI
VERSUS
THE STATE OF MAHARASHTRA AND ANR

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Advocate for Applicant : Mr. More Abhijit S.
Mr. RB Bagul, AGP for Respondent 1.

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CORAM : P.R. BORA, J.
DATED : 2nd November, 2018.

PER COURT:-

1. When the present application is taken up for hearing, learned counsel for applicant tendered across the bar a copy of order passed by the Division bench of this Court in CA No.13752/2015 in FA No. 1027/2015. The learned counsel submitted that the present appeals are arising out of the same acquisition proceedings. He, therefore, prayed for withdrawal of the amount as was permitted by the Division Bench.

2. Learned AGP appearing for State has not disputed correctness of the facts, as are stated by learned counsel for applicant. In view of above,

(2)

following order is passed,

ORDER

i. Out of the 75% of the amount, which is permitted to be withdrawn by the applicant claimant, 50% of the amount shall be permitted to be withdrawn on furnishing an undertaking to this Court to the effect that in the event of success in appeals, the applicant claimant shall re-deposit the amount in this court within a period of 12 weeks from the date of such decision.

ii. Balance amount of 50% out of 75% of the amount, permitted to be withdrawn by the applicant claimant shall be disbursed to the applicant claimant on their furnishing solvent security in the like amount;

iii. The balance amount of 25% shall be invested in any Nationalized Bank in Fixed Deposit initially for a period of three years and the Fixed Deposit shall be renewed thereafter for the period until disposal of the appeal.

iv. The Civil Applications for withdrawal of the amount are disposed of.

(P.R. BORA)
JUDGE

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