

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

938 CIVIL APPLICATION NO. 13865 of 2018 IN
FAST/23718/2017
WITH CA/13866/2018 IN FAST/23831/2017
WITH CA/13867/2018 IN FAST/23827/2017
WITH CA/13868/2018 IN FAST/23837/2017
WITH CA/13869/2018 IN FAST/23834/2017

SAYAS EKNATH KENDRE
VERSUS
THE EX. ENGINEER, LATUR MINOR IRRIGATION LATUR
DIVISION, LATUR AND ANR

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Advocate for applicant Sole : Mr. S.G. Sonwane h/f
Mr.Kedar Balbhim R.
Advocate for respondent No. 1 : Ms.Ansingkar Dipali S.
(Jape)
AGP for Respondent No. 2 : Mr. S.N.Morampalle

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CORAM : SUNIL K.KOTWAL, J.

DATE : NOVEMBER 22, 2018

O R D E R :

These applications are filed by the Claimants for withdrawal of compensation amount deposited in this Court by the acquiring body.

2. Learned counsel for the acquiring body opposes

these applications and submits that appeal be taken up for final hearing.

3. Till today record and proceeding is not received.

4. Therefore, time will be required to fix the matter for final hearing.

5. Considering the nature of the litigation as Land Acquisition Reference, permission deserves to be granted to the Claimant to withdraw some part of the compensation amount.

6. Thus, applications are partly allowed. Permission is granted to the applicants to withdraw 50% compensation amount on furnishing written undertaking in this Court within eight weeks from the date of passing of this order with direction to redeposit the withdrawn amount as and when directed by this Court.

7. Permission is also granted to the applicants to withdraw 25% amount out of the remaining compensation subject to the filing of solvent security for the said amount within the period of eight weeks from the date of passing of this order.

8. Remaining 25% amount shall be invested in Fixed Deposit in any Nationalized Bank till final disposal of this appeal.

9. Civil Applications are disposed of.

[SUNIL K.KOTWAL, J.]

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