

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

CIVIL APPLICATION NO. 205 OF 2018 IN FAST/20247/2016

SHARADABAI GANPATRAO BHOSALE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

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Advocate for Applicant (Original claimant/s) : Mr. V. D. Bhise.
AGP for Respondent No.1, 2 : Mr. A. D. Namde.
Advocate for Respondent No.3 : Mr. R. C. Patil.

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WITH CA/206/2018 IN FAST/20302/2016

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CORAM : K.K. SONAWANE, J.

DATED : 8th JANUARY, 2018.

Order :-

Heard learned counsel for appearing parties. Perused the applications and relevant documents placed on record.

2. Learned counsel for applicants has tendered across Bar the copy of Order dated 19-06-2017 in Civil Application No. 9527 of 2017 and other companion matters passed by co-ordinate Bench (Coram: P.R.Bora, J.) of this court in which claimants therein were allowed to withdraw the amount. He prayed to pass similar nature of order in present matters.

3. Mr. Patil, learned counsel for respondent - Acquiring Body fairly conceded to pass similar order for withdrawal in favour of applicants claimants.

4. In view of submissions advanced on behalf of both sides there is no impediment to allow the applicants-claimants for withdrawal of the amount as per order passed by the co-ordinate Bench of this Court (Coram: P.R. Bora, J.) in other companion matters. Hence, applications are allowed in terms of prayer clause "B". The applicants are permitted to withdraw 75% of the amount deposited in this court on furnishing

undertaking to the sanctification of the Registrar (Judicial) of this Court that in case any contingencies arise on success of the appellant -Acquiring Body in the appeal, the applicants - claimants would refund the amount forthwith as per order passed by this Court. The rest of 25% of the amount be invested in fixed FDR Account in any Natonalized Bank, initially for a period of two years or till decision of the appeal on merit, whichever is earlier.

5. The civil applications stand disposed of accordingly.

[K. K. SONAWANE]
JUDGE

MTK.