

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

CIVIL APPLICATION NO. 15370 OF 2017
IN
FIRST APPEAL NO. 1184 OF 2017

Motigir Anandgir Giri ... Applicant

versus

The State of Maharashtra
and another ... Respondents

WITH

C.A.NO. 15371 OF 2017 IN FIRST APPEAL NO. 1177 OF 2017
C.A.NO. 15372 OF 2017 IN FIRST APPEAL NO. 1186 OF 2017
C.A.NO. 15373 OF 2017 IN FIRST APPEAL NO. 1188 OF 2017
C.A.NO. 15374 OF 2017 IN FIRST APPEAL NO. 1179 OF 2017
C.A.NO. 15382 OF 2017 IN FIRST APPEAL NO. 1189 OF 2017
C.A.NO. 15385 OF 2017 IN FIRST APPEAL NO. 1183 OF 2017
C.A.NO. 15386 OF 2017 IN FIRST APPEAL NO. 1178 OF 2017
C.A.NO. 15387 OF 2017 IN FIRST APPEAL NO. 1182 OF 2017
C.A.NO. 15388 OF 2017 IN FIRST APPEAL NO. 1181 OF 2017
C.A.NO. 15389 OF 2017 IN FIRST APPEAL NO. 1180 OF 2017

D. A. Bide, Advocate, holding for Mr. Vitthal B. Wayal, Advocate
for applicantS

Mr. A. M. Phule, Assistant Government Pleader for respondents

CORAM : SUNIL P. DESHMUKH, J.
DATE : 9th April, 2018

ORDER :

1. Heard learned counsel for applicant and learned Assistant Government Pleader for respondents.

2. learned counsel for applicants refers to order dated 08-12-2017 passed in civil application no. 14925 of 2017 in first appeal no. 1187 of 2017 and companion application and states that present first appeals preferred by acquiring body arise out of common judgment passed in land acquisition references which had been preferred by claimants in respect of same project, same acquisition notification, same award and even the lands are also from same village and very similar tract of lands is concerned in the matters referred to above.

3. Learned Assistant Government Pleader finds it difficult to agree and tries to distinguish present matter from the one referred to and relied on by applicants.

4. In the circumstances, it would be expedient to give treatment to present application similar to the one given to matters referred to above and pass verbatim order.

5. As such, following order :-

(I) Applicants are permitted to withdraw 50% of deposited amount on submitting an undertaking that in the event of adverse order passed in the appeal, they shall redeposit said amount within a period of 12 weeks from the date of decision in the appeal.

(II) Applicants are allowed to withdraw balance 50% amount on furnishing solvent surety to the satisfaction of Registrar (Judicial) of this Court.

6. Civil applications are accordingly disposed of.

SUNIL P. DESHMUKH,
JUDGE

pnd