

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 3458 OF 2018
IN
FIRST APPEAL (ST.) NO. 713 OF 2017**

Haribhau Amruta Gharat & Ors. ... Applicants-Claimants

In the matter between

The State of Maharashtra ... Appellant

V/s.

Haribhau Amruta Gharat & Ors. ... Respondents

- Mr.Sanjay A. Ghaisas for Applicants/Claimants.
- Mr.A.R. Patil, AGP for the Applicant-State.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 26th SEPTEMBER, 2018.

P.C. :

1] Heard learned counsel for the Applicants-Claimants and learned counsel for the Appellant.

2] By all this application, Applicants are seeking withdrawal of the amount deposited by the State, in terms of award passed by the Reference Court. The said amount has been deposited in the Court of Civil Judge Senior Division, Alibag, District: Raigad.

3] The above is appeal already admitted. Considering that the amount is already deposited and in view of order of this Court dated

5th July, 2016 passed in Civil Application No.1287 of 2016 in First Appeal No. 42 of 2016, this application is allowed on the following condition.

4] It will be open for claimants to withdraw the amount on furnishing solvent security to the satisfaction of the Reference Court. This is in terms of the order passed by the Division bench of this Court (A.S. Oka & G.S. Patel, JJ), dated 09/12/2015 in Civil Application No.4005 of 2015, in First Appeal Stamp No.30627 of 2015 on which reliance is placed by the learned counsel for the applicants.

5] The Civil Application is disposed of accordingly.

[DR.SHALINI PHANSALKAR-JOSHI, J.]