

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

915 CIVIL APPLICATION NO.1287 OF 2019
IN
FA/2676/2018

BHAGWAN SUBRAO SHELKE AND ORS
VERSUS
THE G.M.I.D.C., THR THE EX. DIRECTOR AND THE EX.
ENGINEER, AND ORS

...
Advocate for Applicants : Mr. Ingale Vivekanand V.
Advocate for Respondent No. 1 : Mr. Anand Chawre
AGP for Respondent No. 2 : Mr. R.B.Bagul
...

CORAM : SUNIL K.KOTWAL, J.

DATE : 19th MARCH, 2019

O R D E R :

Heard, learned counsel for applicants, the counsel for acquiring body and learned AGP for the State. Counsel for acquiring body opposed this application for withdrawal of the compensation amount. He further pointed out that in some acquisition matter i.e. in First Appeal No. 3118 of 2013, this Court has allowed to withdraw 70% amount deposited in the Court.

2. I have gone through the order dated 9.1.2019

passed in Civil Application No. 461 of 2019 in First Appeal No. 3118 of 2013. Though this appeal is not connected appeal, as the present appeal is arising out of the same acquisition, permission is granted to withdraw 70% amount, out of deposited amount, with proportionate interest thereon on submitting written undertaking in the appeal, to redeposit the withdrawn amount as and when directed by this Court.

3. Remaining 30% amount be invested in fixed deposit, in any Nationalized Bank, till the final disposal of this appeal.

4. Civil Application is disposed of.

[SUNIL K.KOTWAL, J.]

mahajansb/