

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

963 CIVIL APPLICATION NO.1541 OF 2019
IN
FA/380/2018

VITHAL RAMLING SHETE AND ORS.
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
OSMANABAD AND ORS.

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Advocate for Applicants : Mr. V.S. Tanwade
Advocate for Respondent No.1 : Mr. S.G. Bhalerao
AGP for Respondent-State : Mr. S.J. Salgare

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CORAM : P.R. BORA, J.

DATED : 29th JANUARY, 2019

PER COURT:-

1. When the present application is taken up for hearing, the learned counsel Shri Patil has tendered across the bar the copy of the order earlier passed by this Court in Civil Application No.200 of 2019 with connected matters arising out of the same acquisition proceedings and has prayed for passing similar order. The learned counsel for the acquiring body does not have any objection for passing such order.

2. In view of the above, the following order is passed:

ORDER

[I] The applicants are permitted to withdraw 50% of the deposited amount, on submitting an undertaking to the satisfaction of Registrar of this Court. The applicants are further permitted to withdraw 25% amount on submitting solvent surety/security in the like amount to the satisfaction of Registrar of this Court.

[ii] Balance 25% amount be invested in Fixed Deposit Receipt of any nationalized Bank, initially for the period of two years and if so required, for the further period till disposal of the appeal.

[iii] Civil Application for withdrawal of the amount stands disposed of.

[v] List the present appeal for final disposal after four weeks.

**(P.R. BORA)
JUDGE**

Sudhir Rane