IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

983 CIVIL APPLICATION NO.7069 OF 2019
IN FA/1255/2019

NAMDEO PANDU GUND DIED THR LRS SHAKUNTALA NAMDEO GUNDAND ORS
VERSUS
EXECUTIVE ENGINEER, MINOR IRRIGATION DEPARTMENT, OSMANABAD AND ORS
...
Advocate for Applicants : Wakure Sanjay A.
Advocate for Respondent No.1 : Mr. R.C. Pati
AGP for Respondent No.2/State : Mr. R.B. Bagul
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 12th JULY 2019

ORDER :

. Heard learned Counsel for the applicants and learned Counsel for the Acquiring Body. Learned Counsel for Acquiring Body has pointed out that the learned Reference Court has committed certain errors while awarding the interest.

2. No doubt, at this premature stage no opinion can be expresses on merits of the matter. However, keeping in mind the error pointed out by the learned Counsel for Acquiring Body, the applicants in Civil Application are allowed to withdraw 50% amount out of the deposited amount in the appeal, on furnishing written undertakings by them within a period of eight weeks from today, to deposit the

withdrawn amount as and when directed by this court. Out of remaining amount, the respective applicants are permitted to withdraw 25% amount, subject to filing of solvent securities for the said amount to the satisfaction of the Registrar (Judicial), within a period of eight weeks from today. The remaining amount shall be invested in fixed deposit in any Nationalized Bank till final disposal of the appeal.

3. Registrar (Judicial) to act accordingly.

4. Civil Application stands disposed of.

(Smt. Vibha Kankanwadi, J.)

Shubham/