

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

**1027 CIVIL APPLICATION NO.9304 OF 2019
IN FAST/8314/2017**

**CHATRAGUN PARSHURAM TAKPIRE (DIED) THR LRS SULABHA AND ORS
VERSUS
THE REGIONAL OFFICER, M.I.D.C, LATUR AND ANR**

...
Advocate for Applicants : Mr. Gundre Suraj V
AGP for Respondents/State : Mr. S.P. Deshmukh
Advocate for Respondent No.1 : Mr. S.S. Dande
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 18th OCTOBER, 2019.

ORDER :

. Present application has been filed for withdrawal of amount.

Amount of Rs.4,55,480/- has been deposited in this Court.

2. Learned Advocate appearing for the acquiring body has raised strong objection on the ground that the enhancement, that has been made by the reference Court, is very much in excess and therefore, the quantum has been challenged.

3. Taking into consideration the points raised in the appeal, the interest of the appellants is also required to be protected. At the same time,

since the land of the present applicants has been acquired, at present their interest is also required to be protected. Under such circumstance, taking into consideration the deposit of amount, applicants are allowed to withdraw amount of Rs.3,00,000/-. Out of Rs.3,00,000/- applicant Nos. 1-A to 1-C are allowed to withdraw Rs.1,00,000/- and Applicant No.2 and 3 are allowed to withdraw amount of Rs.1,00,000/- each.

4. Applicants shall file an undertaking within a period of eight weeks that they would make the said amount good, if directed at the time of final disposal of the appeal.

5. Civil Application stands disposed of accordingly.

(SMT. VIBHA KANKANWADI, J.)

SCM