IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.11922 OF 2018
IN
FIRST APPEAL (ST.) NO.36943 OF 2016
(Dwarkabai Vishnu Misal Vs. The State of Maharashtra and others)

Mr. More Kumar Gaurav M., Advocate for the applicant
Mr. S.P. Deshmukh, A.G.P. for respondent Nos.1 and 2
Smt. Kalpalata Bharaswadkar Patil, Advocate for respondent No.3

CORAM : SUNIL K. KOTWAL, J.

DATE : 15th MARCH, 2019

ORDER :

This is an application for withdrawal of the compensation amount deposited by the Acquiring Body in the Court.

2. Learned counsel for respondent No.3 vehemently objected the withdrawal of the compensation amount. However, learned counsel for the applicant has pointed out that in connected matter i.e. Civil Application No.12909/2017, this Court has already permitted the claimant to withdraw the entire amount subject to certain conditions.

3. In view of above, permission is granted to the applicant to withdraw 75% amount out of the total amount of compensation deposited in this Court on furnishing an undertaking to deposit the said amount as and when directed by this Court. The applicant is further permitted to withdraw balance 25% of the deposited amount on furnishing solvent security on or before 24th April, 2019. Accordingly, Civil Application is disposed of.

4. As far as First Appeal is concerned, stand over to 24th April, 2019.

[SUNIL K. KOTWAL]
JUDGE

npj/ca11922-2018