

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

CIVIL APPLICATION NO.2571 OF 2019

IN

FIRST APPEAL NO. 2532 OF 2018.

Kalyan Sadashiv Pol (Died)

Through legal representatives & ors.

Applicants.

Versus

Executive Engineer, Sina Kolegaon

Medium Project and others.

Respondents.

Mr. G.D. Kale, Advocate holding for

Mr. Mukund Patil, Advocate for the applicants.

Mr. R.C. Patil, Advocate for respondent No.1.

Mr. A.M. Phule, A.G.P. for respondent No.2.

CORAM : SUNIL K. KOTWAL, J.

Dated : 2 April 2019.

ORDER :-

. Heard learned Counsel holding for learned Counsel
Mr. Mukund Patil for the applicants, learned Counsel for
respondent No.1 and learned A.G.P. for respondent No.2.

2. I have gone through the award passed by the
Tribunal. Compensation of Rs. 5,00,000/- is awarded for acquired

house with other statutory benefits. After filing of the appeal, the Acquiring Body has deposited entire compensation amount with accrued interest thereon. Considering the judgment and award, I find it proper to permit the applicants to withdraw 50% amount out of compensation amount with proportionate interest thereon deposited by Acquiring Body, subject to filing of written undertaking by the applicants in the First Appeal within a period of eight weeks from the date of passing the order, to re-deposit the withdrawn amount as and when directed by this Court.

3. Out of remaining compensation amount, 25% amount can be withdrawn by the applicants subject to filing solvent security for the said amount to the satisfaction of the Registrar (Judicial). The balance amount shall be invested in fixed deposit in any Nationalized Bank till final hearing of the appeal.

4. Civil Application is disposed of accordingly.

(SUNIL K. KOTWAL)
JUDGE

vdd/