IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.14498 OF 2019
IN
FIRST APPEAL NO.423 OF 2019
(Dilip Kanhaiyalal Sanklecha Vs. Shri Saibaba Sansthan Shirdi through its CEO and another)
AND
CIVIL APPLICATION NO.14499 OF 2019
IN
FIRST APPEAL NO.424 OF 2019
(Nirmala Kundanmal Lunawat and Poonam Dileep Sanklecha @ Poonam, Both through POA Dilip Vs. Shri Saibaba Sansthan Shirdi through its CEO and another)
AND
CIVIL APPLICATION NO.14500 OF 2019
IN
FIRST APPEAL NO.425 OF 2019
(Nirmala Kundanmal Lunawat and another Vs. Shri Saibaba Sansthan Shirdi through its CEO and another)

Mr. C.V. Kolharkar, Advocate for the applicants
Mr. N.R. Bhavar, Advocate for respondent No.1
Mr. S.N. Morampalle, A.G.P. for the respondent/State

CORAM : MANGESH S. PATIL, J.

DATE : 13.12.2019

PER COURT :

Heard both the sides.

2. The original claimants in all these matters are seeking withdrawal of the amount of compensation deposited in this Court by the Acquiring Body.

3. The learned Advocate for the Acquiring Body strongly opposes the applications. He submits that the Reference Court has granted exorbitant increment and no amount shall be allowed to be withdrawn without furnishing bank guarantee.

4. I have carefully perused the impugned judgments and awards, particularly the reasons assigned by the Reference Court for giving the increment. The amounts which stand deposited in this Court range between Rs.4,00,000/- to Rs.10,00,000/-

5. Considering all these aspects, it would be just and proper to allow the original claimants to withdraw 75% of the amount deposited in this Court on usual terms and conditions.

6. The applications are allowed. The applicants are allowed to withdraw 75% of the amount deposited in this Court, 50% by furnishing an undertaking in usual terms and 25% by furnishing solvent security.

[MANGESH S. PATIL]
JUDGE

npj/ca14498-2019+