

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION (ST.) NO.2308 OF 2019
IN
FIRST APPEAL (ST.) NO. 26615 OF 2017**

Mallinath Shivanna Nagure & Anr.Applicants

In the matter between :-

Executive Engineer, Krishna Khore Development,
Corporation Project Design Canal Division, Solapur & Ors.

....Appellants

V/s.

Mallinath Shivanna Nagure & Ors.

....Respondents

Mr. Nitin Deshpande for the applicant in CAF 4085/2017 a/w.
CAF 4086/17 and for the appellant in FAST 26615/17 and
for the respondent in CAFST 2308/19.

Mr. Prasad Kulkarni for respondent nos.1 and 2 and for the
applicant in CAFST 2308/2019.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED : 06th FEBRUARY, 2019.**

P.C.:

. Heard the learned counsels for the respective parties.

2. By this application, the applicants have sought to withdraw the amount deposited by the appellant before the Reference Court - Civil Judge, Senior Division, Solapur, as per the judgment and award dated 25/01/2016 in L.A.R.No.117/2006 under Section 18 of Land Acquisition Act.

3. Having considered the grounds raised in the application, compensation of Rs.38,32,411/- alongwith proportionate interest accrued thereon is ordered to be paid to the applicant nos.1 and 2. The Reference Court to invest the balance amount in any nationalized bank till the disposal of the appeal.

4. It is made clear that the payment is subject to the final outcome of the appeal. The applicants shall give an undertaking before the Reference Court that they shall abide by the order that may be passed in the appeal.

5. Civil Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)