

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 2339 OF 2019
IN
FIRST APPEAL NO. 1013 OF 2016

Shri Damu @ Damaji Govind Patil
(since deceased through LRs) & Ors.

..Applicants

v/s.

The State of Maharashtra
(through the Special Land Acquisition
Officer) Uran.

..Respondents

Ms. Ashwini Jadhav I/b. Mr. Sanjay Ghaisas for the Applicants-
Original Claimants.

Ms. Anamika Malhotra AGP for the Respondent-State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 5th AUGUST, 2019.

P.C.

1. The applicants herein who are the original claimants in Land Acquisition Reference No. 523 of 2000 have filed this application for withdrawal of the amount deposited by the Appellant-State in compliance with the Judgment and Award dated 27th August, 2014, passed by the learned Joint Civil Judge, Senior Division, Alibag, Raigad,

2. The learned AGP has given no objection to disburse 50% of the amount deposited by the State. In the light of the said statement, and in view of the reasons stated in the application, the application is partly allowed.

3. 50% of the amount deposited by the State, pursuant to the Judgment and Award dated 27th August, 2014 in LAR No.523 of 2000, along with proportionate interest accrued thereon be disbursed to the applicants. Suffice it to say that the disbursement of compensation is subject to the final outcome of the appeal.

4. The applicants shall give an undertaking that they shall return the amount with the proportionate interest in the event the appellants succeed in the appeal.

(ANUJA PRABHUDESSAI, J.)