

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

**938 CIVIL APPLICATION NO.804 OF 2020
IN FA/105/2019**

ANNASAHEB BHAURAO MATSAGAR
VERSUS
OFFICER IN-CHARGE, OFFICE OF M.I.D.C., AURANGABAD AND ORS

...
Advocate for Applicant : Mr. Abhishek M. Hajare
Advocate for Respondents No.1 to 3 : Mr. Shrirang S. Dande
AGP for Respondent No.4 : Mr. Y.G. Gujrathi

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CORAM : K. K. SONAWANE, J.
Date: January 23, 2020

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PER COURT :-

1. Heard learned counsel for the applicant-claimant and learned counsel for the respondent-Acquiring Body. Perused the application seeking permission for withdrawal of compensation amount deposited in this Court.

2. In view of the reasons mentioned in the application, there is no impediment to allow the application for withdrawal of some portion of the amount of compensation deposited in this Court, on certain conditions. It would not cause any injustice or prejudice to respondent-Acquiring Body. Hence, the applicant-claimant is hereby permitted to withdraw 50% of the amount of compensation deposited in this Court on furnishing undertaking to the effect that in case any adverse situation arises after success of the appellant-Acquiring Body in this case, the

applicant-claimant would refund the entire amount forthwith as per directions of this Court. The applicant-claimant is further permitted to withdraw 25% of the balance amount of compensation on furnishing solvent surety to the satisfaction of the Registrar (Judicial) of this Court. Remaining 25% of compensation amount be invested in Fixed Deposit Receipt in any Nationalized or Scheduled Bank for a period of two years or till disposal of the present appeal, whichever is earlier.

3. Registry to do the needful for disbursement of the amount as indicated above.

4. Accordingly, the application stands disposed of.

(K.K.SONAWANE)
JUDGE

SPT