

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2406 OF 2021 IN
FIRST APPEAL NO. 1408 OF 2019

Sapna Nandkishor Khandade & others Applicants

Versus

The Executive Engineer & another Respondents

Mr. H.B. Nandagavale, Advocate for the applicants.

Mr. P.M. Kulkarni, AGP for respondent No. 2.

Mr. S.C. Arora, Advocate for respondent No.1.

CORAM : M.G. Sewlikar, J.

DATE : 16th February, 2021.

PER COURT :

1. Heard.

2. Learned counsel Shri Nandagavale state that in similar matters, the State has not preferred appeal. Therefore, the applicants should be allowed to withdraw the amount.

3. Shri Arora, learned counsel for the acquiring body, states that the acquisition to which learned counsel Shri Nandagavale refers to are different.

4. In view of this, the applicants are permitted to withdraw 65% of the total amount of compensation deposited by the acquiring body. Applicants are directed to withdraw 50% of the aforesaid amount on furnishing solvent surety and the remaining 50% amount be withdrawn on furnishing undertaking on usual terms.

5. Civil application stands disposed of.

(M. G. SEWLIKAR)
JUDGE

dyb