

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

**CIVIL APPLICATION NO. 3926 OF 2020
IN
FIRST APPEAL NO. 2041 OF 2016**

Deorao Ramji Nalwade
(Died) Through L.Rs.
Vikram Deorao Nalwade and Another ..APPLICANTS

VERSUS

State of Maharashtra and Others ..RESPONDENTS

**WITH
CIVIL APPLICATION NO. 8026 OF 2021
IN
FIRST APPEAL NO. 2039 OF 2016**

Bhaurao Ramji Nalwade
(Died) Through L.Rs.
Dada Bhau @ Bhaurao Nalwade and Others ..APPLICANTS

VERSUS

State of Maharashtra and Others ..RESPONDENTS

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Mr. K.G. Gaikwad, Advocate h/f Mr. P.P. More, Advocate for applicants
Mr. P.M. Kulkarni and Mr. A.M. Phule, A.G.Ps. for respondent nos. 1 and 2 in
respective applications

Mr. G.B. Rajale, Advocate for respondent No.3 in both applications

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**CORAM : R.G. AVACHAT, J.
DATED : 22nd OCTOBER, 2021**

PER COURT :

1. Heard. Perused the impugned award.

2. Learned counsel for the acquiring body objects to permit withdrawal of the amount.

3. The appeals have been filed challenging the quantum on the basis that the valuation has been done by a private valuer, who was not got recognised as valuer.

4. In view of above and for the reasons given in the applications, the applicants are permitted to withdraw 50% of the amount in deposit in respective appeals, on submitting usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. Balance 50% amount be invested in fixed deposit with any of the nationalised bank, pending the appeals. Civil applications stand disposed of accordingly.

(R.G. AVACHAT, J.)

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