

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

**CIVIL APPLICATION NO. 5755 OF 2020
IN
FIRST APPEAL NO. 1104 OF 2018**

Vishwanath s/o Dnyanoba Gholve & Ors.

...Applicants

Versus

The State of Maharashtra & Anr.

...Respondents

.....
Shri. D. R. Jayabhar, Advocate for the applicants
Shri. S. S. Dande, AGP for respondent/State
Shri. A. M. Gaikwad, Advocate for respondent no. 2
.....

WITH
FIRST APPEAL NO. 1104 OF 2018

CORAM : R. G. AVACHAT, J.

DATE : 26th JULY, 2021

PER COURT : -

1. Heard both sides.
2. This Court in similar matters viz. Civil Application No. 4203 of 2016 in First Appeal (St) No. 33835 of 2014 and connected matters, has granted withdrawal of the entire amount deposited in this Court by the acquiring body. The acquiring body has deposited in this Court 50% of the amount under the award.

3. In view of the aforesaid, this Court passes the following order.

4. The amount to be withdrawn by the applicants/claimants be transmitted to the executing Court, forthwith, for being paid to the applicants there. The applicants are permitted to withdraw 75% of the amount deposited in this Court, on furnishing usual undertaking and remaining 25% amount on submitting solvent surety / security in the like amount, to the satisfaction of the executing Court.

5. Civil Application No. 5755 of 2020 for withdrawal of the amount, is accordingly disposed of.

[R. G. AVACHAT]
JUDGE