

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

913 CIVIL APPLICATION NO.1048 OF 2021
IN FA/3386/2016

DEVIDAS AMBADAS JADHAV AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr. Ajit B.Kale, advocate for the applicants.
Mr.S.N. Kendre, A.G.P. for respondent no.1.
Ms. Kalpalata Bharaswadkar, advocate for respondent no.3.

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CORAM : **SUNIL P. DESHMUKH AND
ABHAY AHUJA, JJ.**

DATE : 12th February 2021.

PER COURT :-

1. Heard learned counsel for the parties.
2. This is an application for withdrawal of amount from a group of matters pending in this court bearing first appeal no. 3382 of 2016 and others.
3. Learned counsel for the parties advert to an order dated 13.04.2018 in civil application no. 4688 of 2018 and others. As the present application is moved in first appeal from the group of first appeals referred to above arising out of the same land acquisition proceeding, it would be appropriate that present application be given similar treatment as was

given under the order dated 13.04.2018. As such, following order.

4. The applicant is allowed to withdraw 25% of the amount deposited by the acquiring body on submitting an undertaking to this Court that, in the event the appeal is allowed and this Court directs the applicant to deposit the amount, the applicant would deposit the same within a period of one month.

5. The applicant is further allowed to withdraw 25% of the amount deposited on furnishing solvent security / surety of the like amount.

6. The applicant is further allowed to withdraw 25% of the amount deposited on submitting bank guarantee of any nationalized/scheduled bank.

7. The remaining 25% from the amount deposited shall be kept in fixed deposit of any nationalized bank.

8. Civil application is accordingly disposed of.

(ABHAY AHUJA, J.)

(SUNIL P. DESHMUKH, J.)