

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

**CIVIL APPLICATION NO. 8266 OF 2021
IN
FIRST APPEAL (ST) NO. 15763 OF 2019**

Apparao Manik Gund
(Deceased) Through L.Rs.
Bharat @ Narsinha @ Narsingh Apparao Gund
and Others

..APPLICANTS

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....
Mr. N.J. Patil, Advocate for applicants
Mr. A.B. Chate, A.G.P. for respondent – State
Mr. R.B. Gaikwad, Advocate for respondent nos. 2 and 3
....

**CORAM : R.G. AVACHAT, J.
DATED : 20th AUGUST, 2021**

PER COURT :

1. Heard. Perused the impugned award.
2. Issue notice to the respondents. Learned A.G.P. waives service of notice for Respondent No.1 and Mr. Gaikwad, learned counsel waives service of notice for Respondents Nos. 2 and 3.
3. Learned counsel for the acquiring body strongly objects to permit withdrawal of amount.

4. For the reasons given in the application, the applicants are permitted to withdraw 75% of the amount deposited, 50% on submitting an undertaking to the satisfaction of the Registrar (Judicial) of this Court and 25% on furnishing solvent surety/security in the like amount. Balance 25% amount be invested in fixed deposit in any nationalised bank for the period till disposal of the appeal. Civil application stands disposed of accordingly.

(R.G. AVACHAT, J.)

SSD