

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

**CIVIL APPLICATION NO. 3548 OF 2021
IN
FIRST APPEAL STAMP NO. 40499 OF 2019**

1. Namdeo Changdeo Kolhe (Died)
Through Lrs,
1-A. Shantabai Namdeo Kolhe ... Applicant
Versus
Executive Engineer
Maharashtra Industrial Development
Corporation, Jalgaon and others ... Respondents

....

Mr. A. B. Kale, Advocate for the applicant
Ms Madhaveswari Mhase, Advocate for respondent No.1
Mr. B. V. Virdhe, AGP for respondent Nos. 2 and 3

....

CORAM : R. G. AVACHAT, J.

DATED : 09th JULY, 2021

PER COURT :-

. Heard.

2. By order dated 14.08.2020, in Civil Application No.4507 of 2020 in First Appeal No.837 of 2020 and other connected matters, this Court (Coram: V. L. Achliya, J.) has permitted the applicants/original claimants from the same award to withdraw the amount to the extent of 50% on furnishing an undertaking to the satisfaction of the Registrar (Judicial) of this Court.

3. The learned counsel appearing for the respondent/acquiring body has also not disputed the same.

4. In view of the above, the applicant/claimant herein is also permitted to withdraw the amount of compensation as directed in the earlier orders referred above. Hence, the following order:-

ORDER

- (i) The civil application is partly allowed.
- (ii) The applicant/claimant is permitted to withdraw the amount to the extent of 50% of the amount deposited in this Court on furnishing an undertaking to the satisfaction to the Registrar (Judicial) of this Court.
- (iii) Balance 50% amount be fixed in any nationalised bank, till disposal of the first appeal.

[R. G. AVACHAT, J.]