

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

INTERIM APPLICATION NO. 1567 OF 2021

IN

FIRST APPEAL NO. 1717 OF 2019

Sukhdev Sawaliram Tarvare
since deceased through his legal heirs
1] Smt. Bhagubai Sawaliram Tarvare
& Ors.

... Applicants

In the matter of :

1. The State of Maharashtra
& Anr.

.. Appellants

Vs.

Sukhdev Sawaliram Tarvare
since deceased through his legal heirs
1] Smt. Bhagubai Sawaliram Tarvare
& Ors.

... Respondents

WITH

CIVIL APPLICATION NO. 1988 OF 2018

IN

FIRST APPEAL NO. 1717 OF 2019

.....

Mr. Sachin Gite for applicants.

Mr. A.R. Patil, G.P. for appellants and for respondents in IA.

.....

CORAM : N.J. JAMADAR, J.

DATE : 4th October, 2021

PER COURT:

INTERIM APPLICATION NO. 1567 OF 2021

1. Heard Mr. Gite, the learned counsel for the applicants and
Mr. Patil, the learned GP for the State.

2. This application is preferred seeking permission to withdraw
the amount of compensation deposited by the

respondents/appellants pursuant to the judgment and award, dated 27th March 2014, in Land Reference No. 364 of 2008 passed by the learned 3rd Joint Civil Judge, Senior Division, Nashik.

3. For the reasons ascribed in the application, the applicants are permitted to withdraw 50% of the amount deposited by the respondents/appellants along with interest accrued thereon, subject to an undertaking to be furnished before the Reference Court, that in the event the appeal is allowed and it is held that the applicants are not entitled to compensation, the applicants will bring back the amount.

4. The application accordingly stands disposed of.

Shraddha Talekar, PS

(N.J. JAMADAR, J.)