

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

CIVIL APPLICATION NO.4666 OF 2022 IN
CIVIL APPLICATION NO. 3857 OF 2021 IN
FIRST APPEAL NO.397 OF 2021

Babasaheb s/o Laxman Dange ors. ... **APPLICANTS**

VERSUS

The Administrator, City & Industrial
Development Corporation Limited & anr. ... **RESPONDENTS**

.....
Mr. D.R. Jaybhar, Advocate for applicants
Mr. A.S. Bajaj, Advocate for respondent No.1.
Mr. S.P. Sonpawale, A.G.P. for respondent No.2
.....

CORAM : R. G. AVACHAT, J.

DATE : 2nd MAY, 2022.

PER COURT :

Heard. By order dated 9/6/2021, the applicants were permitted to withdraw 75% of the amount of compensation deposited with this Court. The said order was passed relying on other orders passed in connected matters. In the orders which were relied upon, entire 75% of the amount under the award that was deposited with this Court was permitted to be withdrawn. In short, relying on those orders, this Court permitted the applicants herein to withdraw 75% of the amount under the award. Since that much amount has been deposited with this Court, the applicants

deserve withdrawal of that much amount i.e. the entire amount in deposit with interest accrued thereon. In view of the same, the order dated 9/6/2021 is modified as below :

2. The entire amount in deposit with this Court i.e. 75% of the award under challenge, be paid to the applicants. 50% of the amount be paid on usual undertaking to be furnished to the satisfaction of Registrar (Judicial) of this Court and remaining amount be paid as against solvent security or Bank guarantee.

3. Civil Application stands disposed of.

(R. G. AVACHAT)
JUDGE

fmp/-