

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

927 CIVIL APPLICATION NO.4947 OF 2023
IN FA/1700/2023

SHANTESHWAR VISHWANATH BARBADE
VERSUS
SUBHASH VISHWANATH BARBADE (DIED) THR LRS. VIJAYA
SUBHASH BARBADE AND ORS

...
Advocate for Applicant : Mr. Ravibhushan P. Adgaonkar
Advocate for respondent nos. 1 to 6 : Mr. Laxmiant C. Patil
AGP for respondent nos. 7 and 8: Mr. S. W. Munde
Advocate for respondent nos. 9 : Mr. A. S. Shelke

...
WITH
CA/4949/2023 IN FA/1702/2023
WITH
CA/4946/2023 IN FA/1699/2023
WITH
CA/4948/2023 IN FA/1701/2023

CORAM : SANDIPKUMAR C. MORE, J.
DATE : 12TH APRIL, 2023

PER COURT :

CIVIL APPLICATION NO. 4947 OF 2023 : -

1. At the request of learned counsel of rival parties, list First Appeal No. 2491 of 2019 along with these appeals on 7th June, 2023.
2. The learned counsel for respondent no.1 to 6 in Civil Application No. 4947 of 2023 made a statement that, till next date, the concerned respondents would not withdraw the amount as directed.

CIVIL APPLICATION NO. 4949 OF 2023 : -

1. Heard rival submissions.
2. The applicant is seeking withdrawal of entire amount of compensation which has been deposited by the Acquiring Body along with the interest. However, this Court in other connected matters has already permitted withdrawal of 75% of the deposited amounts to the applicants therein. As such, the applicant herein is permitted to withdraw 75% of the deposited amount along with the proportionate interest thereon till date i.e. 50% on usual undertaking and 25% on furnishing solvent surety/security to the satisfaction of Registrar (Judicial) of this Court.
3. The remaining amount be invested in FDR on yearly renewal basis in any nationalized bank, till final disposal of this appeal.
4. Application is accordingly disposed of.

[SANDIPKUMAR C. MORE]
JUDGE

SG Punde