

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

**CIVIL APPLICATION NO.8885 OF 2023
IN FAST/24227/2020**

**MAHADEO MADOLLAPPA ULEKAR (DEAD) THR LRS
PHULABAI ANDORS**

VERSUS

**EXE. ENGINEER, IRRIGATION PRO. STRENGTHING
(MAJBUTIKARAN) DIV., OMERGA AND ORS**

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Mr. S. A. Wakure, Advocate for the Applicants.

Mr. S. S. Dande, AGP for Respondents-State.

Mr. G. B. Rajale, Advocate for Respondent No.1.

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CORAM : S. G. CHAPALGAONKAR, J.

DATE : 11th AUGUST, 2023.

PER COURT:-

1. The learned Advocate appearing for the parties are ad idem that in appeal arising out of same acquisition, this Court has permitted to withdraw 75% amount deposited by the Acquiring Body subject to furnishing of usual undertaking and solvent surety.

2. In that view of the matter, the same course is adopted. Hence the following order:-

ORDER

a. Civil Application is allowed.

b. The applicants are permitted to withdraw total 75% amount out of deposited amount by the Acquiring Body.

- c. The 50% of the aforesaid amount is permitted to be withdrawn on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.
- d. The 25% amount is permitted to be withdrawn subject to furnishing of solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.
- e. Balance of 25% amount be invested in Fixed Deposit in any Nationalized Bank initially for a period of one year with renewal clause.
- f. Civil Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE