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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 10633 OF 2023
IN
FIRST APPEAL NO.3138 OF 2017

Shrirang Bandu Mule (Died) LRs & Others

APPLICANTS

VERSUS

The Executive Engineer, MID, Osmanabad & Ors RESPONDENTS

.....
Mr. R. M. Thorbole, Advocate for the applicants
Mr. D. J. Patil, AGP for respondent - State

AND
CIVIL APPLICATION NO. 10635 OF 2023
IN
FIRST APPEAL NO.3140 OF 2017

Sudam Yeshwara Bhoite (Died) LRs & Others

APPLICANTS

VERSUS

The Executive Engineer, MID, Osmanabad & Ors RESPONDENTS

.....
Mr. R. M. Thorbole, Advocate for the applicants
Mr. D. J. Patil, AGP for respondent - State

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 18th OCTOBER, 2024

ORDER :

1. These applications are filed for withdrawal of compensation amount deposited by respondent No.1 - acquiring body.
2. Though served, none appears for respondent No.1. Heard

learned advocate for the applicants and learned AGP.

3. Learned advocate for the applicants has placed reliance on the order dated 19th October, 2018 passed by this Court in Civil Application No. 13002 of 2018 in First Appeal No. 3128 of 2017, which according to him are the connected matters, arising out of the same acquisition process.

4. For the reasons stated in the applications and in view of the order dated 19th October, 2018, the applications are allowed. Applicants are permitted to withdraw 50% of the amount of compensation along with proportionate accrued interest on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) and remaining 50% along with proportionate accrued interest, on furnishing solvent surety / security to the satisfaction of the Registrar (Judicial).

[NITIN B. SURYAWANSHI]
JUDGE