



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2288 OF 2023 IN FAST/37180/2019

Masu Biru Phadtale (Died) Thr Lrs Janabai And Others
VERSUS
The Ex. Enginner, Irrigation Project Majbutikaran Div. Omerga
And Others

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Mr. Laxmikant C. Patil, Advocate for Applicants
Mr. A.M. Gaikwad, Advocate for Respondent No.1
Mr. D.J. Patil, AGP for Respondents No.2 and 3
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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 14th DECEMBER, 2024

ORDER :

1. Heard.
2. This application is filed by claimants for withdrawal of compensation amount deposited by the Acquiring Body.
3. Learned advocate for the applicants pointed out that this Court in connected matters, i.e. CA/5913/2020 in FA/3760/2018, which are arising out of same acquisition, has permitted applicants/claimants to withdraw 50% amount of compensation on furnishing usual undertaking and 25% amount of compensation on furnishing solvent surety/security.

4. Learned advocate for the Acquiring Body confirms the said position. Hence, application is allowed. Applicants/claimants are permitted to withdraw 50% of compensation amount along with proportionate interest accrued thereon, on furnishing usual undertaking and 25% compensation amount along with proportionate interest accrued thereon, on furnishing solvent surety/security to the satisfaction of Registrar (Judicial). Balance amount be invested in Fixed Deposit till disposal of the first appeal.

[NITIN B. SURYAWANSHI]
JUDGE