

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7576 OF 2012

(Arising out of SLP(C) No. 15935 of 2012)

MOHD. ISMAIL & ANR.

APPELLANTS

VERSUS

**MAHARASHTRA STATE INDUSTRIAL
CORPORATION & ANR.**

RESPONDENTS

O R D E R

1. Delay condoned.

2. Leave granted.

3. This appeal is directed against the interim order passed by the High Court of Judicature at Bombay, Bench at Aurangabad in Civil Application No. 278 of 2011 in First Appeal No. 30 of 2011, dated 01.02.2011. By the impugned order, the High Court has rejected the reasonable prayer made by the appellants herein.

Cont..2/-

4. Having heard the learned counsel for the parties to the *lis*, we are of the opinion that the prayer made by the appellants requires to be accepted and granted. Accordingly, we pass the following order -

"We direct that the 50% of the enhanced compensation granted to the appellants shall be released without security whereas balance of 50% shall be released to them on furnishing security to the satisfaction of the Collector".

5. The appeal is disposed of accordingly.

.....J.
(H.L. DATTU)

.....J.
(CHANDRAMAULI KR. PRASAD)

NEW DELHI
OCTOBER 15, 2012

JUDGMENT