

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

**CIVIL APPLICATION NO. 2335 OF 2015
IN
FIRST APPEAL NO. 575 OF 2012**

Sudhakar S/o Dnyanoba Barure,
Age:: 50 years, Occ. : Agril.,
R/o Latur, Dist : - Latur.

...Applicant

versus

Vice Chancellor,
Marathwada Agricultural University,
Parbhani, Dist. Parbhani & anr.

...Respondents

.....
Mr. Mahesh S. Patil, Advocate for applicant.
Mr. M. P. Kale, Advocate for respondent No. 1.
Mrs. V. A. Shinde, A. G. P. for respondent/State.
.....

**CORAM : R. M. BORDE &
N. W. SAMBRE, JJ.**

DATE : 20TH FEBRUARY, 2015

PER COURT :

. The acquiring body has deposited the sum of 50% out of total amount awarded by the Reference Court under the Award dated 20/12/2011 in L. A. R. No. 237 of 1993.

2. In view of the order passed by the Division Bench of this Court in Civil Application Nos. 10298 of 2011 and 10665 of 2011, the instant civil application deserves to be allowed and is accordingly allowed. The applicant shall be permitted to withdraw 50% of the

amount, out of amount deposited by the acquiring body in this Court on furnishing an undertaking to the extent that in the event of success of appeal, he would re-deposit the amount within a period of 12 weeks from such decision. Balance amount of 50% out of the amount deposited by the acquiring body shall be permitted to be withdrawn by the applicant on furnishing bank guarantee of nationalized/scheduled bank for the like amount. Bank guarantee shall be kept alive until disposal of the appeal. The civil application stands disposed of.

[N.W. SAMBRE, J.]

[R. M. BORDE, J.]