

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

**CIVIL APPLICATION NO. 7433 OF 2015
IN
FIRST APPEAL NO. 513 OF 2014**

Vitthal Bhagaji Kunte

... Applicant

VERSUS

The State of Maharashtra and anr.

... Respondents

.....
Mr N. J. Pahune Patil, Advocate for the applicant
Mr B. R. Surwase, Advocate for respondent No. 2
.....

CORAM : **S. V. GANGAPURWALA, J.**
DATE : **21ST AUGUST, 2015.**

PER COURT:

. This is an application for withdrawal of the amount.

2. Mr Pahune Patil, learned counsel for the applicant submits that the applicant has also filed an appeal against the judgment and award passed by the reference Court. The enhancement granted by the reference Court is also on the lower side.

3. Mr B. R. Surwase, learned counsel for respondent No. 2, submits that the exorbitant compensation has been awarded by reference court.

4. Today, the award is in favour of the applicant so also the rights of the non-applicant will have to be protected.

5. Considering the above, I pass the following order.

ORDER

The applicant is allowed to withdraw 50% of the amount deposited on furnishing solvent security/ surety of the like amount and remaining 50% amount be kept in fixed deposit in any of the nationalized Banks.

Civil Application accordingly disposed of.

[S. V. GANGAPURWALA, J.]

sgp