

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

**CIVIL APPLICATION NO. 3893 OF 2015
IN
FIRST APPEAL NO. 2026 OF 2014**

Aadi construction Osmanabad

.. APPLICANT

VERSUS

The Chairman / the Collector
Shri Tuljabhavani District Sports Stadium Company
Osmanabad & another

.. RESPONDENTS

Mr. D.M. Mane, advocate for applicant.

Mr. V.D. Salunke, advocate for respondent no. 1.

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**CORAM : R.M. BORDE &
V. K. JADHAV JJ.**

DATE : 17th APRIL, 2015.

PER COURT :

1. This is an application seeking withdrawal of amount deposited by appellant – original defendant in this Court.

2. Considering the contentions raised in the application, we deem it appropriate to permit applicant / original plaintiff to withdraw the amount subject to furnishing bank guarantee for the like amount. Applicant shall be permitted to withdraw the amount deposited by the respondent on furnishing bank guarantee of nationalised or schedule bank for the like amount. It is directed that the bank guarantee shall be kept alive till disposal of the appeal. Civil application stands disposed of.

**(V.K. JADHAV)
JUDGE**

dyb

**(R. M. BORDE)
JUDGE**