

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

924 CIVIL APPLICATION NO. 7265 OF 2015
IN FA/424/2015

SHANTILALCHANDULAL BORANA

VERSUS

THE EXECUTIVE ENGINEER, C.C.C.M. DIVISION, OSMANABAD AND
OTHERS

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Advocate for Applicants : Ms. Sarvade Anuja D. And Ganesh
Kore

Mr. Gaikwad A M, Adv. For R/1.

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CORAM : R. M. BORDE & P.R. BORA, JJ.

Dated: July 10, 2015

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PER COURT :-

1) This is an application seeking withdrawal of the amount deposited by the acquiring body in this court.

2) Heard. The acquiring body was directed to deposit 50% of the amount, awarded by the Reference Court and in compliance of the said directions, the amount is said to have been deposited. We do not find any difficulty in permitting the applicant/claimant to withdraw the amount deposited by the acquiring body.

3) The applicant shall be permitted to withdraw 50% amount, out of the deposited amount by the acquiring body in this Court on furnishing an undertaking to the effect that the applicant/appellant shall re-deposit the amount in the event of success in the first appeal within a period of eight weeks from such decision. The balance amount of 50%, out of the deposited amount by the acquiring body, shall be permitted to be withdrawn on applicant's furnishing solvent security in the like amount. The Civil Application is thus allowed.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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