

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

**CIVIL APPLICATION NO. 10329 OF 2015
IN
FIRST APPEAL NO. 2233 OF 2012**

Gangabai Timma Marwade .. Applicant

Versus

Godavari Marathwada Irrigation
Development Corporation Aurangabad
Through its Exe. Engineer and ors. .. Respondents

Shri Amol N. Patale, Advocate for the Applicant.'
Smt. Rekha Laddha, Advocate for the Respondent No. 1.
Shri S. M. Jadhav, A.G.P. for Respondent Nos. 2 and 3.

**CORAM : S. V. GANGAPURWALA, J.
DATE : 28TH AUGUST, 2015.**

PER COURT :

. Heard the learned counsel for the applicant. The learned counsel for the non applicant No. 1 opposes the application on the ground that the Reference Court has granted exorbitant enhancement.

2. Today the award in in favour of the applicant. So also interest of the non applicant No. 1 will have to be protected.

3. In the light of the above, I pass the following order.

4. The applicant is allowed to withdraw 50% of the amount deposited on submitting an undertaking to the Court that, in the event the applicant is directed to deposit the amount, the applicant shall deposit the same within one month. The applicant is further allowed to withdraw 25% of the amount deposited on submitting solvent security/surety of the like amount. The remaining 25% of the amount deposited shall be kept in fixed deposit of any nationalized bank. The civil application is disposed of.

[S. V. GANGAPURWALA, J.]

bsb/Aug. 15