

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

**CIVIL APPLICATION NO. 12899 OF 2015
IN
FIRST APPEAL NO. 1271 OF 2015**

Nasiroeddin Hamid Miya .. Applicant

Versus

The State of Maharashtra and others .. Respondents

Shri Yogesh P. Deshmukh and Shri A. N. Patale, Advocates for
the Applicant.

Shri S. M. Morampalle, A.G.P. for the Respondent No. 1.

Shri R. D. Biradar, Advocate for the Respondent No. 3.

CORAM : S. V. GANGAPURWALA, J.

DATE : 09TH OCTOBER, 2015.

PER COURT :

. This is an application for withdrawal of amount. Mr. Biradar, the learned counsel for the non applicant opposes the application on the ground that, the Reference Court has granted exorbitant compensation amount.

2. Considering the award passed, I pass following order.

3. The applicant/claimant is allowed to withdraw 50% of the amount deposited on submitting an undertaking to this Court

that, in case the appeal is allowed and 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 on furnishing solvent security/surety of the like amount. The remaining 25% of the amount shall be kept in fixed deposit of any nationalized bank. The civil application is disposed of.

[S. V. GANGAPURWALA, J.]

bsb/Oct. 15