

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

**CIVIL APPLICATION NO. 12936 OF 2015
IN
FIRST APPEAL NO. 1017 OF 2013**

Kusumbai Shamrao Haridas .. Applicant

Versus

The Executive Engineer, Latur Medium
Project Division, Latur and another .. Respondents

Shri Suraj V. Gundre, Advocate for the Applicant.

Shri G. N. Patil, Advocate for the Respondent No. 1.

Shri S. P. Deshmukh, A.G.P. for the Respondent No. 2.

CORAM : S. V. GANGAPURWALA, J.

DATE : 09TH OCTOBER, 2015.

PER COURT :

. In fact, today only I have granted extension of time to the acquiring body to deposit the amount. The amount deposited is hardly 50% of the amount awarded by the Reference Court.

2. Considering the above, I am inclined to allow the applicant to withdraw the amount deposited by the acquiring body on submitting an undertaking, as it is even less than 50% of the amount. Condition can be imposed while considering withdrawal for remaining amount. The applicant is allowed to withdraw the

amount deposited by non applicant No. 1 on submitting an undertaking to this Court that, in the event the applicant is directed to deposit the amount, the applicant shall deposit the same within a period of one month. The civil application is disposed of.

[S. V. GANGAPURWALA, J.]

bsb/Oct. 15