

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CA NO.4433/2016

**921 CIVIL APPLICATION NO. 4433 OF 2016
IN
FAST/2713/2015**

SURESHKUMAR KANHAIYALAL JETHLIYA AND ORS
VERSUS
EXECUTIVE ENGINEER LOWER DUDHNA PROJECT DIVISION
SAILU UNDER G.M.I.D.C. AURANGABAD

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Advocate for Applicants : Mr.Lakhotiya Pawan K.
Mr.B.R. Surwase, Advocate for R/1

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CORAM :P.R.BORA, J.
Dated: April 05, 2016

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PER COURT :-

1. The original claimants are seeking withdrawal of the amount deposited by the acquiring body in this Court pursuant to the order passed by this Court on 5th August, 2015.

2. 50 % amount under the award has been deposited by the appellant. After having heard the submissions advanced by the learned Counsel appearing for the respective parties, it appears to me that following arrangement would serve the ends of justice.

(a) The applicants i.e. the original claimants are permitted to withdraw the 50 % of the deposited amount on submitting an undertaking before this Court to the effect that they will re-deposit the amount, in the event any adverse order is passed against them, within two months from the date of passing such order.

AGP/-

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(b) The applicants / original claimants are also permitted to withdraw the balance 50 % amount on furnishing solvent surety of the like amount.

Civil Application stands disposed of.

(P.R.BORA, J.)

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