

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

CA NO.6153/2016

**919 CIVIL APPLICATION NO. 6153 OF 2016
IN FA/2496/2013**

BHALCHANDRA CHINTAMAN SHEPAL
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION
DIVISION, JALNA. AND ANR

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Advocate for Applicants : Mr.Usmanpurkar Aniruddha S.
AGP for Respondent State: Mr.P.G.Borade
Mr.Ruturaj Patil, Adv., for R/1.

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CORAM : P.R. BORA, J.
Dated: May 03, 2016

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PER COURT :-

1. By filing the present application, the original claimant has sought withdrawal of the entire amount deposited by the acquiring body in this Court towards satisfaction of the award impugned in the present appeals. Learned Counsel appearing for the applicant submits that the original claimant has to undergo a surgery for liver transplant and the estimated expenses are to the tune of Rs.23,00,000/- (Rs. Twenty three lacs). The applicant has annexed with the present application estimate of expenses for the surgery from Jupiter Lifeline Hospitals Ltd. At Mumbai. Learned Counsel appearing for the acquiring body though has opposed for permitting withdrawal of the hundred per cent amount, having

AGP/-

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considered the reason for which the amount is sought to be withdrawn, I am inclined to allow the present application. Hence, following order:

ORDER

1) The applicant is permitted to withdraw the entire amount deposited by the acquiring body in this Court on submitting an undertaking that in the event the amount of compensation is decreased, the applicant will re-deposit the amount as may be specified within the period as may be prescribed by the Court.

Civil Application stands disposed of in above terms.

(P.R. BORA, J.)

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