

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CA NO.10911 of 2016

**925 CIVIL APPLICATION NO. 10911 OF 2016
IN FA/1371/2016**

LAXMIKANT YASHWANT BAGAL AND ANR
VERSUS
THE STATE OF MAHARASHTRA AND ANR

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Advocate for Applicants : Mr.Bhandari Anand P.
AGP for Respondent State: Mr.S.P.Deshmukh
Mr. R.S.Wani h/f Mr. A. S. Bajaj For R/2.

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CORAM : P.R. BORA, J.
Dated: August 18, 2016

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PER COURT :-

1. Heard learned Counsel appearing for the applicant and learned Counsel appearing for the acquiring body.

2. The acquiring body was directed to deposit 60 per cent of the amount under the impugned award in this Court and, accordingly, the said amount has been deposited. Learned Counsel for the applicant has submitted that there is one another application raising contention that the amount as directed by the Court has not been deposited by the acquiring body. The said fact apart, in so far as the request for withdrawal of the deposited amount is concerned, considering the submissions made on behalf of the parties, I deem it appropriate to pass following order:

AGP/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(2) CA NO.10911 of 2016

ORDER

1) The applicants are permitted to withdraw 75 per cent of the deposited amount on furnishing an undertaking that in the event any adverse order is passed against them, they will redeposit the said amount within four months of the passing of such order.

2) The applicants are also permitted to withdraw the balance 25 per cent of the deposited amount on furnishing Bank guarantee in the like amount of any nationalized / scheduled Bank.

Civil Application for withdrawal of amount stands disposed of.

(P.R. BORA, J.)

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