

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

919 CIVIL APPLICATION NO.10936 OF 2016
IN FA/1572/2014 WITH CA/10959/2016 IN FA/1573/2014

AMARSINGH VISHWANATH GAVHANE AND ANTOHER
VERSUS
THE STATE OF MAHARASHTRA AND ANR

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Advocate for Applicants : Mr. Shelke Avishkar S.
Mr. AM Phule, AGP for Respondents:1;
Mr. B. R. Surwase, Adv. For R/2

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

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PER COURT :-

1) Heard. Considering the contentions raised in the application seeking withdrawal of the amount and having regard to the objections raised in the memo of appeal in exception to the impugned Award, I deem it appropriate to pass the following order, -

ORDER

i) The applicants in respective applications are permitted to withdraw 75% of the amount deposited by the acquiring body in this court on submitting an undertaking that in the event any adverse order is passed against them in the appeals,

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they will re-deposit the amount within four months of passing such order;

ii) Balance 25% amount is permitted to be withdrawn on furnishing a Bank Guarantee in the like amount of any Nationalized or Scheduled Bank.

iii) The Civil Applications for withdrawal of the amount are partly allowed and disposed of.

2) Considering the objections raised in exception to the Award impugned in the present appeals, Admit.

3) On admission of the appeal, Mr. Shelke waives service for Respondent Nos.1 and 2/original claimants.

(P.R. BORA, J.)
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