

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

**CIVIL APPLICATION NO. 10721 OF 2016
IN
FIRST APPEAL NO. 45 OF 2016**

Pushpadevi Sureshchandra Agrawal and Another ..APPLICANTS

VERSUS

Deputy Chief Engineer (Construction),
Central Railway, Pune and Another ..RESPONDENTS

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Mr. S.V. Gundre, Advocate for applicants.

Mr. M.N. Navandar, Advocate for Respondent No.1.

Mr. G.O. Wattamwar, A.G.P. for Respondent No.2 - State.

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CORAM : P.R. BORA, J.

DATED : 01st AUGUST, 2016

ORDER :

. Heard learned Counsel for the applicant/original claimant and learned Counsel for acquiring body. Considering the contentions raised in the application for withdrawal of amount and having regard to the objections raised by the acquiring body in exception to the impugned award, I deem it appropriate to passed the following order:

O R D E R

I) Application is partly allowed.

- II) Applicants are permitted to withdraw 60% of the amount deposited by the acquiring body in this Court on submitting an undertaking that in event any adverse order is passed, they will redeposit the amount within four months from the date of such order.
- III) Applicants are permitted to withdraw balance 40% of the amount on furnishing bank guaranty in the like amount of any nationalised or scheduled bank.
- IV) Civil applications stand **disposed of**.

(P.R. BORA, J.)

SSD