

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CA NO.10238/2016

**917 CIVIL APPLICATION NO. 10238 OF 2016
IN FAST/17536/2014**

JAGANNATH DADABHAU SATPUTE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

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Advocate for Applicant : Smt.Rakh Asha D.
AGP for Respondent State: Mr.G.O.Wattamwar
Mr. B. R. Surwase, Adv., for R/3

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CORAM : P.R. BORA, J.
Dated: October 19, 2016

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PER COURT :-

1. Heard learned Counsel for the applicant and learned Counsel appearing for the acquiring body. It is informed that though this Court has directed the acquiring body to deposit the entire amount under the award and subject to deposit of said amount, stay to the execution of the impugned award is granted by this Court, the acquiring body has complied the said order partially and has deposited only 50 per cent of the total amount.

2. Learned Counsel appearing for the acquiring body submits that because of financial crunch, the acquiring body could deposit only 50 per cent of the amount and endeavours are being made to deposit the remaining amount.

AGP/-

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(2)

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3. The present application is filed for withdrawal of the deposited amount. In view of the fact that the acquiring body has deposited only 50 per cent of the amount of the award, I do not see any difficulty in permitting the applicant to withdraw the said amount on submitting a plain undertaking that in the event any adverse order is passed against them in the appeal, they will redeposit the said amount within four months of passing of such order. Hence, following order:

ORDER

1. Applicant is permitted to withdraw the amount deposited by the acquiring body. Civil Application for withdrawal of amount stands disposed of.

(P.R. BORA, J.)

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