

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

CA NO.12466 of 2016

**22 CIVIL APPLICATION NO. 12466 OF 2016
IN FA/1044/2014**

PRALHAD NATHA SHINDE
VERSUS
EXECUTIVE ENGINEER, JALNA MINOR IRRIGATION
DIVISION, JALNA AND ORS

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Advocate for Applicant : Smt.Rakh Asha D.
AGP for Respondent State: Mr.S.P.Deshmukh
Mr.B.R. Surwase, Adv., for R/1.

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CORAM : P.R. BORA, J.
Dated: September 14, 2016

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PER COURT :-

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

2. Though this Court has stayed execution of the impugned award by imposing a condition on the acquiring body to deposit the entire amount under the said award along with the interest accrued thereon, the acquiring body has deposited only 50 per cent of the said amount. The amount so deposited is sought to be withdrawn by the original claimants.

3. In view of the fact that only 50 per cent of the awarded amount has been deposited by the acquiring -

AGP/-

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body, there appears no difficulty in allowing the applicants to withdraw the entire said amount on furnishing an undertaking that in the event any adverse order is passed against the applicants, the applicants will re-deposit the amount so withdrawn by them, if so ordered by the Court, within four weeks of passing of the order. Order accordingly. Application disposed of.

(P.R. BORA, J.)

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