

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CA NO.12796/2016

**915 CIVIL APPLICATION NO. 12796 OF 2016
IN
FAST/8347/2016**

CHAMPABAI RAOSAHEB GAWALI AND ANR
VERSUS
THE STATE OF MAHARASHTRA AND ANR

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Advocate for Applicants : Mr.V. G. Kodale
AGP for Respondent State: Mr.S.N.Morampalle
Mr. G.S.Khaire, Adv., h/f Mr. S.S.Dande, Adv., for R/2.

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CORAM : P.R. BORA, J.
Dated: September 21, 2016

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PER COURT :-

1. Heard learned Counsel appearing for the applicant and learned Counsel appearing for the acquiring body.
2. Considering the contentions raised in the application for withdrawal of amount and the objections raised by the acquiring body in the memo of appeal in exception to the Award impugned in the present appeal, I deem it appropriate to pass the following order:

ORDER

- i) The applicant is permitted to withdraw 25% of the deposited amount by the acquiring body in this court

AGP/-

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on submitting an undertaking that in the event any adverse order is passed against her in the appeal, she will re-deposit the amount within four months of passing such order;

ii) 25% amount is permitted to be withdrawn by the applicant on furnishing a Bank guarantee of the like amount of any nationalized or Schedule Bank.

iii) 50% of the deposited amount be invested in a Fixed Deposit Receipts in any Nationalized Bank, initially for a period of three years and to be renewed if so required till disposal of the appeal.

iv) The Civil Application for withdrawal of the amount is partly allowed and disposed of.

(P.R. BORA, J.)

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