

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application [CAF] No.1666 of 2015

in

First Appeal No.1026 of 2014

(The State of Maharashtra, through its Collector, Yavatmal and others

vs.

Hitesh Deoraj Gosare and others)

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Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

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Court's or Judge's Orders

Shri R.J. Mirza, Advocate for the Applicants/Respondents.
Mrs. S.S. Jachak, A.G.P. for the Non-Applicants/Appellants.

CORAM : B.R. GAVAI & A.S. CHANDURKAR, JJ.

DATE : 11th MARCH, 2016.

This is an application filed for withdrawal of the decretal amount deposited by appellant No.2 in this Court.

While allowing the civil application for stay, this Court vide order dated 08/12/2014 granted stay to the effect and operation of the impugned award subject to depositing 75% of the decretal amount in this court.

Taking into consideration the reasons given in the impugned judgment, we find that the respondents-claimants can be permitted to withdraw 50% of the decretal amount deposited by the appellant in this Court without furnishing surety. However, insofar as the remaining 50% amount is concerned, the same is permitted to be withdrawn only on the respondents-claimants furnishing a solvent surety to the satisfaction of the

Registrar (Judicial) and filing an undertaking to the effect that in the event, if this Court directs to refund the said amount, same shall be refunded within the period specified by this Court.

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JUDGE

JUDGE