

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

972 CIVIL APPLICATION NO. 2304 OF 2017
IN FAST/3147/2014 WITH CA/8478/2014 IN FAST/3140/2014 WITH
CA/8479/2014 IN FAST/3147/2014 WITH CA/2305/2017 IN
FAST/3140/2014

BAPUSAHEB NIVRUTTI SURYAWANSHI
VERSUS
MAHARASHTRA HOUSING AND AREA DEVELOPMENT AURANGABAD
AND ANR

...
Advocate for Applicant : Gunale V.d. V G Kodale
AGP for Respondents : S.S. Dande
Advocate for Respondents : A. B. Kadethankar For R/1
...

CORAM : V.K. JADHAV, J.
DATE : 17-02-2017.

P.C. :

1. The learned counsel for the respondents strongly resisted the application for withdrawal, however, in the alternate submits that the applicants may be permitted to withdraw the amount on furnishing solvent security.

2. In view of the above submissions and considering the challenge made to the judgment and award passed by the reference court the applicant is permitted to withdraw the entire amount along with accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial). Civil application is accordingly disposed of.

3. Heard both the sides. The learned counsel for the

respondents has strongly resisted the application for condonation of delay. In view of the above and for the reasons stated in the civil application, delay of 203 days caused in filing the first appeal is hereby condoned. Civil application is allowed and accordingly disposed of.

4. Heard. Issue notice to the respondents. Learned counsel A.B. Kadethankar, waives for respondent no.1 and learned A.G.P. waives for respondent-state. Call for record and proceedings.

(V.K. JADHAV)
JUDGE

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