

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AURANGABAD**

CIVIL APPLICATION NO. 2973 OF 2017
IN
FIRST APPEAL NO. 1902 OF 2015

Gopal s/o Keshav Chavan ... Applicant

VERSUS

The State of Maharashtra & ors. ... Respondents

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Mr. S.V.Kurundkar, advocate for the applicant
Mr. S.S.Dande, A.G.P for respondent no.1

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CORAM : K.L.WADANE, J.

DATED : 23rd AUGUST, 2017

O R D E R :

Heard learned counsel for both sides.

2. This is an application for withdrawal of amount of compensation deposited in this Court pursuant to the order passed by this Court.

3. Learned counsel for the applicant submits that in the Land Acquisition Reference of the brother of the applicant entire amount of compensation is deposited in the execution proceedings and his brother was allowed to withdraw such amount.

4. Learned A.G.P. Mr. Dande has objection for withdrawal of entire amount by the applicant since the appeal is pending against the award.

5. In such circumstances, the applicant is permitted to withdraw 50 per cent of the amount on undertaking and remaining 50 per cent of the amount with solvent security to the satisfaction of the Registrar of this Court.

6. Civil Application is disposed of.

(K.L.WADANE, J.)

dbm