

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

CIVIL APPLICATION NO. 10289 OF 2016 IN FAST/15125/2013

SUBHASHRAO JALOJIRAO DESHMUKH
VERSUS
THE EXECUTIVE ENGINEER, UPPER PENGANGA PROJECT DIV.
8JANGAMWADI AND ORS

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Advocate for Applicant : Hande Avinash D.
AGP for Respondents: Mr B V Virdhe
Advocate for Respondent 1 : Mr U. K. Patil

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CORAM : V.K. JADHAV, J.
Dated: July 21, 2017

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PER COURT :-

1. Heard both sides.
2. Learned counsel for the applicant submits that, this Court by order dated 10.12.2014 permitted the applicants from the same award to withdraw the amount on certain conditions.
3. The learned counsel appearing for respondent-acquiring body has also not disputed this position.
4. In view of the same, the applicants are hereby permitted to withdraw 50% of amount on furnishing solvent security and remaining 50% amount on furnishing undertaking that in case the first appeals are allowed, and the decisions in the appeals is against the interest of the applicants, they shall refund/redeposit the amount, withdrawn, in the executing court within a period of six months from the date of decisions in the appeals. Undertakings to be filed by respective applicants before executing court within a period of six weeks from today. Civil application accordingly disposed of.

(V.K. JADHAV, J.)

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