

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

CA NO.7259/2017

**62 CIVIL APPLICATION NO. 7259 OF 2017
IN FAST/30312/2014
WITH
CA/616/2015 IN FAST/30312/2014**

VENKATRAO @ VENKAT GANGARAM PAUL
VERSUS
THE EXECUTIVE ENGINEER M.S.E.B. CIVIL CONSTRUCTION
OSMANABAD

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Advocate for Applicant : Mr. Patil Ramchandra S
AGP for Respondent State: Mr. S.P.Sonpawale
Mr. S.V. Munde, Adv. for respondent.

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CORAM : P.R. BORA, J.
Dated: June 27, 2017
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PER COURT :-

1. Heard learned Counsel on Civil Application for withdrawal of amount.

2. Having regard to the grounds of objections raised in exception to the impugned Award and the averments in the application for withdrawal of the amount, the applicant is permitted to withdraw 50% of the deposited amount on submitting an undertaking that in the event any adverse order is passed against him, he will re-deposit the said amount so withdrawn by him within four months of passing such order. Balance 50% amount be invested in Fixed Deposit Receipt of any Nationalized Bank, initially for a period of two years and if so required for further period till disposal of the appeal. Civil Application for withdrawal stands

agp/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
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(2)

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disposed of in above terms.

2. Heard learned Counsel on Civil application for condonation of delay.

3. Delay of 260 days has occurred in filing the present appeal by the acquiring body. Though learned Counsel for respondent / original claimant, has opposed for condonation of delay, for the reasons stated in the applications which, according to me, are just and sufficient, the delay caused in filing the appeal is condoned. Civil Application for condonation of delay stands disposed of. The Appeal be registered in accordance with law.

4. After registration of the appeal, issue notice to the respondents in the appeal returnable after four weeks. Shri Ramchandra S. Patil, learned Counsel, waives service for original claimant. Learned A.G.P. waives service for respondent State. Service complete. Call for R & P.

Place the matters for admission after four weeks.

(P.R. BORA, J.)

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