

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

13 CIVIL APPLICATION NO. 5569 OF 2016
IN FA/1454/2010

SAHEBRAO KASHINATH SURWASE (DIED) THROUGH LRS
KAILASH SAHEBRAO SURWASE AND OTHERS
VERSUS
DEPUTY ENGINEER ,CONSTRUCTION, CENTRAL RAILWAY
OFFICE PUNE -1 PAW/ANG/BEED.

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Advocate for Applicants : Mr. Manoj U. Shelke.

Advocate for Respondents : Mr. A. D. Soman, h/f Mr. D. V. Soman.

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CORAM : **V. K. JADHAV, J.**
DATE : 13th April, 2017.

P.C.:

. Heard both the sides.

2 The learned counsel for Respondent / acquiring body submits that as per the order dated 25th February, 2014 passed by this Court, the office has verified the calculations and in terms of the said calculations carried out by the office, the Respondent / acquiring boy has deposited the additional amount of Rs.6,38,960/- before this Court.

3 The learned counsel for Applicants submits that the Applicants are permitted to withdraw 50% of the amount out of the amount deposited before this Court in terms of the judgment and award passed by the Reference Court. The learned counsel submits

that thus, the Applicants are entitled to withdraw 50% of the amount out of the said additional amount of Rs.6,38,960/- deposited by the Respondent / acquiring body before this Court on the same conditions.

4 In view of the above submissions, the Applicants are permitted to withdraw 50% of the said additional amount of Rs.6,38,960/- on the condition that the Applicants shall furnish the undertaking to the extent of 25% and to furnish bank guarantee of any nationalized bank to the extent of 25% of the amount to the satisfaction of the Registrar (Judicial) of this Court and the balance amount out of the said amount of Rs.6,38,960/- shall be kept in FDR in any nationalized bank for an initial period of five years and renew thereafter, as directed by this Court. Civil application is accordingly disposed of.

[V. K. JADHAV, J.]

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