

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

950 CIVIL APPLICATION NO. 11416 OF 2016
IN FAST/36019/2015 WITH CA/391/2016 IN FAST/36019/2015

GAHININATH NIWARTTI BARURE
VERSUS
THE REGIONAL OFFICER MIDC LATUR AND ANR

...
Advocate for Applicant : Mr. Irpatgire A.N.
AGP for Respondents: Mr. S.P. Sonpawale
Advocate for Respondents - acquiring body : Mr. S.S. Dande
.....

CORAM : V. K. JADHAV, J.
DATED : 3rd MARCH, 2017

PER COURT:-

1. Learned counsel for the acquiring body pointed out the orders passed by this Court on 13.01.2017 in civil application No.15069 of 2016 and on 17.02.2017 in civil application No. 2291 of 2017, arising out of the same award, thereby permitting the applicants therein to withdraw 50% of the amount. Learned counsel appearing for the applicant herein also accepted the said position.

2. In view of above and for the reasons stated in the aforesaid order, following order is passed:-

- I) The applicant herein is permitted to withdraw 25% of the deposited amount by the acquiring body in this Court on submitting an undertaking that in the event any adverse

order is passed against him in the appeal, he shall re-deposit the amount within four months of passing of such order.

- ii) 25% amount is permitted to be withdrawn by the applicant on furnishing a bank guarantee of the like amount of any nationalized or scheduled bank.
- lii) 50% of the deposited amount be invested in a fixed deposit receipt in any Nationalized bank, initially for a period of three years and to be renewed if so required till disposal of appeal.

3. Civil application is accordingly disposed of.

(V. K. JADHAV, J.)

rlj/