

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

947 CIVIL APPLICATION NO. 9940 OF 2017
IN FA/257/2017

BANSI SHYAMRAO KALE
VERSUS
THE EXECUTIVE ENGINEER, LOWER DUDHANA PROJECT
DIVISION, SAILU THR JALNA IRRIGATION

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Advocate for Applicant : Mr. Koralkar Arun H.
Advocate for Respondent No.1 : Mr. R.C. Patil
AGP for Respondent No.2: Mr. A.M. Phule
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CORAM : V. K. JADHAV, J.
DATED : 28th JULY, 2017

PER COURT:-

1. Learned counsel for the applicant submits that in the connected matters, this Court has allowed the respective claimants in the said appeals to withdraw 75% of the amount deposited in the Court on furnishing an undertaking. Learned counsel further pointed out that this Court has also passed such orders on 22.07.2016 in C.A. No. 10304/2016. Learned counsel appearing for the acquiring body has not disputed the facts stated as aforesaid and has prayed for passing appropriate orders.

2. In view of the above, Civil application for withdrawal of amount is allowed. The applicant is permitted to withdraw 75% of the amount deposited in the Court subject to furnishing undertaking to the

satisfaction of the Registrar (Judicial) of this Court. Balance 25% amount be kept in any nationalized bank in Fixed Deposit Receipt, initially for a period of two years, and if so required, to renew the said F.D.R. for further period, till disposal of the appeal. Civil application is accordingly disposed of.

(V. K. JADHAV, J.)

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