

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

**940 CIVIL APPLICATION NO.13166 OF 2017
IN FA/3650/2017**

GIRDHAR BABU @ MALU KAMBLE

VERSUS

MAHARASHTRA STATE INDUSTRIAL DEVELOPMENT
CORPORATION, LATUR THR ITS DIV. OFFICER AND OTHERS.

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Advocate for Applicant : Mr.Kulkarni Girish N.
Advocate for Respondent No.1 : Mr.K.S.Khaire h/f.
Mr.S.S.Dande

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CORAM : PRAKASH D.NAIK, J.

DATED : 14.11.2017

PER COURT :-

1) This is an application for withdrawing the amount deposited under the award with accrued interest.

2) It is submitted by the learned counsel for the applicant that the applicant may be permitted to withdraw the said amount. The learned counsel for the applicant relied upon the order passed by this Court in Civil Application No.4156 of 2016 wherein the applicants therein were permitted to withdraw 25% of the deposited

amount on furnishing an undertaking to the satisfaction of the Registrar of this Court, 25% of the deposited amount to be withdrawn on furnishing solvent surety in the like amount to the satisfaction of the Registrar of this Court, 25% of the deposited amount were permitted to be withdrawn on furnishing bank guarantee of any nationalized bank or scheduled bank in the like amount to the satisfaction of the Registrar (Judicial) of this Court and remaining 25% of the deposited amount were directed to be invested in any nationalized bank in Fixed Deposit Receipt.

3) It is submitted that the applicant may be permitted to withdraw the said amount on similar conditions.

4) The learned Advocate for the respondent has no objection for permitting the applicant to withdraw the said amount on the aforesaid terms. Hence, the following order:-

ORDER

(I) The applicant is permitted to withdraw 25% of the deposited amount on furnishing an undertaking to the satisfaction of the Registrar of this Court.

(II) The applicant is permitted to withdraw further 25% of the deposited amount on furnishing solvent surety in the like amount to the satisfaction of the Registrar of this Court.

(III) Further 25% of the amount deposited is permitted to be withdrawn by the applicant on furnishing bank guarantee of any nationalized bank or scheduled bank in the like amount to the satisfaction of the Registrar (Judicial) of this Court.

(IV) Remaining 25% of the deposited amount shall be invested in any nationalized bank in Fixed Deposit Receipt (FDR), till the disposal of the appeal.

(V) Civil application stands disposed of.

[PRAKASH D.NAIK, J.]