

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

67 CIVIL APPLICATION NO.2494/2016
IN FAST/3718/2016
WITH
CA 6575 OF 2017 IN FAST/3718/2016

THE EXECUTIVE ENGINEER, URDHAV PENGANGA PROJECT
DIVISION NO.8, JANGAMWADI, NANDED
VERSUS
NAGNATH NARAYAN NAGDHARE DIED THR LRS VITHAL AND
OTHERS

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Advocate for Applicant : Mr.RC Patil,
Mr. Hande Avinash D. Adv. For Resp.no.1/A to R/C.
Mr.RB Bagul, AGP for Respondent-2

CORAM : P.R.BORA, J.

DATE : 19th June, 2017.

PER COURT :

- 1) Heard. For the reasons stated in the application, which according to me are just and sufficient, delay caused of 187 days in filing the appeal by the acquiring body is condoned. The appeal be registered in accordance with law.
- 2) On registration of the appeal, issue notice to the respondents. Learned Counsel and learned AGP waive service for respective respondents. Service complete. Place the matter

after two weeks.

3) Call R. and P.

4) Heard on CA for withdrawal of the amount. Considering the pleadings in the memo of appeal and in the application, the applicants are permitted, (i) to withdraw 50% of the deposited amount on furnishing an undertaking that in event any adverse order is passed against them, they will re-deposit the said amount within four months of passing such order;

ii) Balance 50% be invested in Fixed Deposit Receipt (FDR) of any Nationalized Bank, initially for a period of two years; and if so required, for further period till disposal of the appeal;

5) Civil Application for withdrawal of the amount stands disposed of.

(P.R.BORA,J.)

bdv/