

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

965 CIVIL APPLICATION NO. 6496 OF 2017
IN FA/2885/2013 WITH CA/1677/2017 IN FA/2885/2013

HANMANT MANOHAR CHAUDHARI(WARIK) AND ANR
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for Applicant : Mr. Tanwade Vikas S.
AGP for Respondent No.1: Mr. P.G. Borade
Advocate for Respondent No.2 : Mr. S.R.Dheple
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CORAM : V. K. JADHAV, J.
DATED : 23rd JUNE, 2017

PER COURT:-

1. Learned counsel for the applicants submits that this Court in group of appeals arising out of same acquisition proceedings permitted the applicants therein to withdraw 50% amount on furnishing undertaking and 25% amount on furnishing solvent surety.
2. Learned counsel for the respondent acquiring body submits that the applicants may be permitted to withdraw 50% amount only.
3. On perusal of order passed by this Court on 24.3.2017, it appears that the applicants therein were permitted to withdraw 75% of the amount, out of the amount deposited in this Court on certain conditions. I do not find any reason to pass different order. Thus, the applicant herein is also permitted to withdraw 50% amount out of the

amount deposited in this Court on furnishing undertaking to the satisfaction of Registrar (Judicial) of this Court and 25% of the amount out of the amount deposited in this Court on furnishing solvent surety to the satisfaction of Registrar (Judicial) of this Court. Civil application is allowed and disposed of.

4. In so far as the civil application for stay is concerned, learned counsel for the acquiring body submits that entire amount under award has been deposited before this Court. In view of the same, during pendency of first appeal, there shall be stay to the impugned judgment and award. Civil application for stay is disposed of.

(V. K. JADHAV, J.)

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