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

**CIVIL APPLICATION NO. 5125 OF 2018**  
**IN**  
**FIRST APPEAL NO.581 OF 2010**

Abasaheb Kisan Sirsat

APPLICANT

VERSUS

GMIDC, Through Executive Engineer and Another RESPONDENTS

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Mr. Mahesh S. Patil, Advocate for the applicant

Mr. S. G. Sangale, Advocate for respondents No1 and 2

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**[CORAM : SUNIL P. DESHMUKH, J.]**

**DATE : 13<sup>th</sup> APRIL, 2018**

**ORDER :**

1. Learned advocates for the applicant states that present first appeal is from the group of first appeals bearing No. 566 of 2010 and companion matters and in view of the order passed by division bench on 4<sup>th</sup> September, 2015, present application deserves to be given similar treatment.

2. Learned advocate for the respondents - acquiring body although is reluctant to accede to the request, is not in a position to dispute factual position as referred to above by learned advocate for the applicant.

3. In view of aforesaid, it would be expedient to pass similar order in present application. As such, in view of order passed in civil application No.10996 of 2015 and companion civil applications dated 4<sup>th</sup> September, 2015 , the applicant be permitted to withdraw the amount now deposited before the executing court on the condition that half of the amount shall be withdrawn without furnishing any security and remaining half of the amount be withdrawn on furnishing solvent security to the satisfaction of the executing court.

4. Civil application stands disposed of.

**[SUNIL P. DESHMUKH, J.]**