

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3853 OF 2018
IN FA/736/2018

RAM TUKARAM KANADE
VERSUS
THE EXECUTIVE ENGINEER, P.M. DIV. OMERGA DIST-OSMANABAD
THR EX. ENGI. OSMANABAD M.P. DIV. AND ANR.

...
Mr. V.V. Ingale, Advocate for applicant
Mr. S.G. Sangle, Advocate for respondent no.1
Mr. A.M. Phule, AGP for respondent-State
...

CORAM : SUNIL P. DESHMUKH, J.
DATE : 06-04-2018

ORDER :

1. Learned counsel for the applicant and learned counsel for the acquiring body are *ad-idem* that this matter has been left out from group of civil applications bearing no. 14254 of 2017 in first appeal (st.) no. 2791 of 2017 and companion matters. Learned counsel for the applicant adverts to order dated 24-01-2018 passed in above group of matters and requests for similar treatment.

2. Learned counsel for acquiring body and learned AGP have no particular objection and fairly concede to the order.

3. In the circumstances, the following order :-

. The application for withdrawal is disposed of by permitting the applicant to withdraw 50% of the compensation amount along with accrued interest by filing an undertaking that such withdrawal will abide by final orders in the appeal. Further, at the time of withdrawal, the applicant shall furnish an undertaking that he indemnifies the State Government against all claims in relation to the compensation amount so withdrawn. Copies of such undertakings to be furnished to the learned Counsel appearing for the appellant before such undertakings are filed in this Court for the purpose of withdrawal.

4. Civil Application accordingly is disposed of.

[SUNIL P. DESHMUKH]
JUDGE

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