

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

CIVIL APPLICATION NO. 11226 OF 2018

IN

FIRST APPEAL NO. 4343 OF 2017

WITH CA/11225/2018 IN FA/4346/2017

WITH CA/11227/2018 IN FA/4345/2017

WITH CA/11228/2018 IN FA/4344/2017

Angad Maruti Kakade.

Applicant.

Versus

Executive Engineer, Minor Irrigation,
Osmanabad and ors.

Respondents.

Mr. R.D. Khadap, Advocate for the applicant.

Mr. S.D. Dhongade, Advocate for respondent No.1.

Mr. R.B. Bagul, A.G.P. for respondent No.2.

CORAM : SUNIL K. KOTWAL,J.

Dated : 12th September 2018.

PER COURT :-

. Heard learned Counsel for the applicant and learned
Counsels for respondents. Learned Counsel for respondent No.1
expressed his no objection if 50 % amount is allowed to be
withdrawn, subject to solvency.

2. Much time will be required for final disposal of the appeal. Therefore, it is desirable to allow withdrawal of certain amount out of the deposited compensation amount.

3. The Civil Application is allowed. Permission is granted to the applicant to withdraw 50% amount out of the deposited compensation amount, subject to filing of written undertaking in the First Appeal within 8 weeks, to deposit the same as and when directed by this Court.

4. Out of the remaining amount, 25% amount is allowed to be withdrawn, subject to filing of solvent surety for the said amount to the satisfaction of the Registrar (Judicial).

5. Registrar (Judicial) to act upon accordingly.

6. Civil Application is disposed of.

(SUNIL K. KOTWAL)
JUDGE

vdd/