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

936 **CIVIL APPLICATION NO.12362 OF 2018**
IN FA/199/2014

NARAYAN BABARAO IGAWE ..Applicant
VERSUS
THE CHIEF ENGINEER (CONSTRUCTION)
CENTRAL RAILWAY AND ORS ..Respondents

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Shri S.S. Halkude, Advocate for Applicant;
Shri A.D. Soman, Advocate, h/f. Shri D.V. Soman,
Advocate for Respondents No.1 & 2 ;
Ms S.S. Raut, AGP for Respondents – State.

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CORAM : P.R. BORA, J.
Dated: October 05, 2018

PER COURT :

1. Heard the learned Counsel appearing for the respective parties.

2. The applicant is seeking withdrawal of the amount of Rs.5,37,956/-, out of the deposited amount, claiming the same to be falling to his share. The learned Counsel submitted that, in companion matters, the claimants are permitted to withdraw 75% of the amount falling to their shares on submitting undertaking. The learned Counsel submitted that, in the present matter, the applicant be permitted to withdraw the amount on similar lines. The learned Counsel has tendered across the bar one of such order passed by this Court on 29.01.2016 (**Coram: T.V. Nalawade, J.**).

3. In view of the submissions so made, the following order is passed.

ORDER

(i) The applicant is permitted to withdraw 75% of the amount of Rs.5,37,956/- with interest accrued thereon on submitting an undertaking to the satisfaction of the Registrar of this Court.

(ii) Balance 25% amount be invested in Fixed Deposit Receipt in any Nationalized Bank for the period till disposal of the appeal.

(iii) Civil Application stands disposed of.

(**P.R. BORA, J.**)

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