

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

38 CIVIL APPLICATION NO.2152 OF 2019
IN FA/640/2018

MURARI PURUSHOTTAM TAPASWI AND ANR
VERSUS
MUNICIPAL CORPORATION, AURANGABAD THR ITS AUTHORIZED
OFFICER, AND ORS

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39 CIVIL APPLICATION NO.2153 OF 2019
IN FA/641/2018

MUKUND PURUSHOTTAM TAPASVI (DEAD) THR LRS SUSHMA AND
ORS
VERSUS
MUNICIPAL CORPORATION, AURANGABAD THR ITS AUTHORIZED
OFFICER, AND ORS

Advocate for Applicants : Mr. Siddharth R. Deshpande
Advocate for Respondent No.1 : Mr. A.P. Bhandari
AGP for Respondent No.2 : Mr. P.M. Kulkarni

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CORAM : P.R. BORA, J.

DATED : 04th FEBRUARY, 2019

PER COURT:-

1. Heard Shri Deshpande, the learned counsel appearing for the applicants and Shri Bhandari, the learned counsel appearing for the respondent-Corporation. Perused the impugned judgment and award, and the grounds of objections raised in exception to the said judgment.
2. After having considered the above, I deem it appropriate to pass the following order:-

ORDER

- [i] The applicants are permitted to withdraw 40% of the amount deposited by the appellant-acquiring body in this court along with interest accrued thereon on submitting an undertaking to the satisfaction of the Registrar of this Court.
- [ii] Balance 60% of the amount and the interest accrued thereon be invested in Fixed Deposit Receipt in any nationalized bank, for the period till disposal of the appeal.
- [iii] The amount permitted to be withdrawn be remitted in equal share to applicants in both the applications.
- [iv] Civil applications stand disposed of.

**(P.R. BORA)
JUDGE**

Sudhir Rane