

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.2625 OF 2019
IN
FIRST APPEAL (STAMP) NO.32450 OF 2014
(Kamlabai Ganpat Jagtap Vs. The Executive Engineer,
Irrigation Division, Zilla Parishad, Aurangabad and
another)

Mr. N.P. Ghanwat, Advocate for the applicant
Mr. D.B. Pawar, Advocate for respondent No.1
Mr. P.M. Kulkarni, A.G.P. for the respondent/State

CORAM : SUNIL K. KOTWAL, J.

DATE : 7th JUNE, 2019

ORDER :

Heard learned counsel for both the parties.

2. It is pointed out that in connected matter i.e. Civil Application No.3291 of 2018 in First Appeal No.2302/2015, this Court has already allowed the applicants therein to withdraw the entire deposited amount of compensation with accrued interest thereon, on certain terms and conditions.

3. Therefore, the applicant is hereby permitted to withdraw 50% of the amount deposited in this Court on furnishing an undertaking to the effect that the

applicant would refund the amount so withdrawn in case any contingency arises in the appeal. Rest of the 50% decretal amount is permitted to be withdrawn by the applicant on furnishing solvent surety/security of like amount to the satisfaction of the Registrar (Judicial) of this Court.

4. Accordingly, the Civil Application stands disposed of in above terms. No order as to costs. Registry to do the needful for disbursement of the amount in favour of the applicant-original claimant.

[SUNIL K. KOTWAL]
JUDGE

npj/ca2625-2019