

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2806 OF 2018

RAJENDRA VITTHAL AKHADE
VERSUS
THE UNION OF INDIA AND OTHERS

...

Mr. A.D. Raut, Advocate for the petitioner.
Mr. S.B. Deshpande, A.S.G. for respondent Nos.1 & 5.
Mr. V.M. Kagne, A.G.P. for respondent Nos.2 to 4.

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CORAM : S.V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.

DATE : 19th December 2019.

PER COURT :-

. Learned Counsel for the petitioner submits that the amount as determined by the Arbitrator has not been deposited by the respondents. An affidavit is filed by respondent No.3 that an amount of Rs. 81,59,951/- has been deposited with respondent No.5 on 13th February 2018. As per affidavit of respondent No.5 the petitioner has paid an amount of Rs.22,60,482/-.

2. In that light of the matter, the petitioner can withdraw the amount from respondent No.5.

3. Mr. Deshpande, learned A.S.G. submits that award has not been amended nor any other award has been passed.

4. As observed above, the petitioner can withdraw the amount from respondent No.5 as deposited by respondent No.3.

5. In case the petitioner has any dispute with the quantum of the amount, the petitioner has got right to go for execution under the provisions of Arbitration and Conciliation Act.

(AVINASH G. GHAROTE, J.)

(S.V. GANGAPURWALA, J.)

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