

(1)

67-ca12037-19

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

**67 CIVIL APPLICATION NO.12037 OF 2019
IN FA/182/2017**

**SANJAY BABURAO JADHAV
VERSUS
STATE OF MAHARASHTRA AND ORS**

...
**Advocate for Applicant : Sarawade Patil Dattatray D.
AGP for Respondents: R.B.Bagul**

...
**CORAM : MANGESH S. PATIL, J.
DATE : 22.11.2019**

PC. :-

Heard both the sides. The original claimant seeks to withdraw the amount deposited by the respondents pursuant to the award under challenge.

2] The learned advocate for the applicant submits that admittedly an amount of around Rs.44,000/- has been deposited and he may be allowed to withdraw the entire amount by furnishing usual undertaking.

3] The learned AGP points out that this Court in sister appeals arising from the same award has allowed the claimants therein to withdraw 60% of the amount and same order be passed.

4] Considering the fact that this Court in Civil Application No.13787 of 2018 in First Appeal No.181 of 2017 and connected matters by the order dated 24/1/2019 has allowed the claimants therein to withdraw 60% of the amount on furnishing undertaking, a similar order needs to be passed even in this application, howsoever meager the amount is.

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5] The application is allowed. The applicant is allowed to withdraw 60% of the amount deposited in the Court by furnishing usual undertaking.

[MANGESH S. PATIL, J.]

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