

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

**1050 CIVIL APPLICATION NO.11431 OF 2019
IN FAST/5901/2017**

**BHARAT LAXMAN KEDAR
VERSUS
EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION, OSMANABAD
AND ORS**

...
Advocate for Applicant : Mr. Ingale Vivekanand V.
AGP for Respondents/State : Mr. S.P. Deshmukh
Advocate for Respondent No.1 : Mr. U.P. Giri
Advocate for respondent Nos.4(A) to 4(C) : Mr. R.V. Naiknaware
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 20th SEPTEMBER, 2019.

ORDER :

. Heard learned Counsel for the parties.

2. The learned Counsel appearing for the applicant submitted that in the similar matters arising out of the same acquisition, this Court has permitted the original claimants to withdraw 50% of the deposited amount on submitting undertaking and remaining 50% amount on furnishing Bank guarantee of any Nationalized Bank. The learned Counsel has prayed for passing similar order.

3. On submissions so made, the following order is passed.

ORDER

- i. The applicant is permitted to withdraw 50% of the deposited amount on submitting an undertaking to the satisfaction of Registrar of this Court.
- ii. Balance 50% amount is permitted to be withdrawn subject to furnishing Bank guarantee of any Nationalized or Scheduled Bank of equal amount.
- iii. Civil Application stands disposed of.
- iv. Call Record and Proceedings.
- v. Hearing of appeal is expedited.

(SMT. VIBHA KANKANWADI, J.)

SCM