

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**CIVIL APPLICATION NO.10036 OF 2019
IN FAST/7088/2019**

BABURAO @ GOVIND NARAYAN PATIL
VERSUS
THE EX. ENGINEER, NIMNA TERNA KALVA VIBHANG NO.2 AND ORS

...
Advocate for Applicant ; Mr. N.D. Kendre & Mr. J.Y. Solunke (Patil)
Advocate for Respondent No.1 : Mr. S.G. Bhalerao
AGP for Respondents/State : Mr. A.M. Phule
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 23rd AUGUST, 2019

ORDER :

. Learned Advocate Mr. Bhalerao waives notice for respondent No.1 and learned AGP waives notice for respondent Nos.2 and 3.

2. Present application has been filed for withdrawal of the amount. The acquiring body has deposited amount of Rs.89,29,270/- as per the order of this Court.

3. The appeal has been filed by the acquiring body challenging the quantum as well as interest. Under such circumstance, in the interest of both the parties, the applicant is allowed to withdraw 50% of the amount that has been deposited subject to giving an undertaking

within a period of eight weeks that he would make the said amount good, if directed at the time of final disposal of the appeal.

4. Civil Application stands disposed of accordingly.

(Smt. Vibha Kankanwadi, J.)

Shubham/