

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

**996 CIVIL APPLICATION NO.10823 OF 2019
IN FAST/23711/2018**

**ACHUT VENKATI HOLE
VERSUS
THE EX. ENGINEER, MINOR IRRIGATION DIVISION, LATUR AND ORS**

...
Advocate for Applicant : Mr. Kedar Balbhim R.
AGP for Respondents/State : Mr. S.P. Deshmukh
Advocate for Respondent No.1 : Mr. S.L. Puri h/f Mr. U.P. Giri
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 13th SEPTEMBER, 2019.

ORDER :

. Present application has been filed for withdrawal of the amount deposited by the acquiring body i.e. present respondent No.1. Respondent No.1 has deposited amount of Rs.1,63,17,040/-. Though the learned Advocate appearing for the applicant disputes the quantum deposited, this application is considered only for the purpose of withdrawal. If at all there is any other remedy, applicant is at liberty.

2. The appeal has been filed mainly on the basis of quantum. However, taking into consideration the fact that the land of the present applicant was acquired, definitely, partial withdrawal can be permitted.

3. Applicant is allowed to withdraw 50% of the amount which has been deposited in this Court subject to filing 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.)

SCM