

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

**39 CIVIL APPLICATION NO.13795 OF 2019
IN FA/1951/2012**

**DEELIP NARAYANRAO PATIL
VERSUS
THE DIVISIONAL CONTROLLER, MSRTC, LATUR AND ANR**

...
Advocate for Applicant : Mr. Manale Satish S.
AGP for Respondent/State : Mr. Y.G. Gujrathi
Advocate for Respondent : Mr. D.S. Bagul
...

CORAM : MANGESH S. PATIL, J.

DATE : 17.12.2019

PER COURT :

This is an application for withdrawal of amount by the original claimant.

2. The learned advocate for the claimant points out that by the order dated 14.12.2012, the claimant was allowed to withdraw 75% of the amount which stood deposited then. Since there was a dispute as regards the amount to be deposited by the acquiring body, a contempt proceeding was initiated and in Contempt Petition No.804/2018, the acquiring body deposited an amount of Rs.19,34,961/- which the applicant is now seeking to withdraw.

3. The learned advocate for the acquiring body opposes the application.

4. The prayers seems to be innocuous. The applicant/claimant can

be allowed to withdraw 75% of the amount out of the amount of Rs.19,34,961/- strictly in terms of the order dated 14.12.2012.

5. The application is allowed. The applicant is allowed to withdraw 75% of the amount of Rs.19,34,961/-, 25% by furnishing undertaking in usual terms and 50% by furnishing bank guarantee of the like amount of a Nationalized Bank.

(MANGESH S. PATIL, J.)

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