

Application No.3496 of 2019
in Original Application No.974 of 2018
in Original Petition No.917 of 2018

N.SATHISH KUMAR, J.,

This Application has been filed by the applicant to withdraw Rs.1,15,55,162/- which is 50% of the awarded amount to the applicant herein, which was deposited by the respondents on 01.03.2019.

2. Heard the learned counsel for the applicant as well as the learned Standing Counsel for the Southern Railway.

3. The learned counsel for the applicant submitted that as per the conditional order passed by this Court dated 15.11.2018, 50% of the award amount was already deposited by the respondents. He further submitted that this application has been filed by the applicant seeking permission to withdraw the amount of Rs.1,15,55,162/-, subject to the production of security.

4. Since the award is of the year 2018 and the Execution Petition also stayed, this Court is of the view that the applicant may be permitted to withdraw the amount of Rs.1,15,55,162/- [Rupees One Crore Fifteen Lakhs Fifty Five Thousand One Hundred Sixty Two Only], on furnishing the Bank Guarantee of Rs.75,00,000/- [Rupees Seventy Five Lakhs Only], which shall be remitted

before the Registrar General, High Court of Madras, Chennai, within a period of two weeks from today. On production of such Bank Guarantee, the applicant may be permitted to withdraw the amount of Rs.1,15,55,162/-.

5. This Application is ordered accordingly.

27.08.2019

Note : Issue Order Copy on 28.08.2019

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