

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

**20 CIVIL APPLICATION NO.6117 OF 2020
IN
FIRST APPEAL STAMP NO.37481 OF 2019**

RAJENDRA KESARSING DESHMUKH
VERSUS
THE EX. ENGINEER, M.I.W. JALGAON AND ORS.

...
Advocate for Applicant : Mr.Vinod Prakash Patil
Advocate for Respondent Nos.1 & 2 : Mr. S.S.Chillarge
AGP for Respondent Nos.3 & 4 -State : Mr.P.K.Lakhotiya

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CORAM : M. G. SEWLIKAR, J.
Date: October 27, 2020
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PER COURT :-

1. Heard Mr.V.P.Patil, learned counsel for the applicant and Mr.S.S.Chillarge, learned counsel for respondent Nos.1 and 2.
2. The Acquiring Body was directed to deposit 60% of total amount of compensation in this Court. But, Acquiring Body has deposited only 25% of the amount i.e. 89,27,000/-. Applicant seeks withdrawal of entire amount of Rs.89,27,000/-.
3. Mr.S.S.Chillarge, learned counsel for respondent Nos.1 and 2 has no objection, if this amount is allowed to be withdrawn subject to giving of bank guarantee or solvent surety.
4. Mr.Patil, learned counsel for the applicant submits that he is ready to give undertaking to the effect that he will deposit the amount in this Court as and when directed by this Court.
5. Applicant is permitted to withdraw the amount of Rs.89,27,000/- subject to giving undertaking that the applicant shall deposit the amount in the Court as and when directed. Civil Application is disposed of.

(M. G. SEWLIKAR, J.)