

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

**CIVIL APPLICATION NO. 2216 OF 2021
IN
FIRST APPEAL NO. 216 OF 2020**

Tarachand Pannalal Dungarwal

..APPLICANT

VERSUS

The Executive Engineer,
Lift Irrigation Division, Osmanabad
and Another

..RESPONDENTS

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Mr. S.A. Wakure, Advocate for applicant
Mr. P.G. Rodge, Advocate for respondent no.1
Mr. B.V. Virdhe, A.G.P. for respondent no.2 - State

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**CORAM : R.G. AVACHAT, J.
DATE : 16th JULY, 2021**

PER COURT :

1. Heard. Perused impugned award.
2. Learned counsel for Respondent No.1 – acquiring body has strong objection for withdrawal of the amount.
3. For the reasons given in the application, the applicant is permitted to withdraw 75% of the amount deposited in this Court, 50% on furnishing an undertaking to the satisfaction of the Registrar (Judicial) of this Court and 25% on submitting solvent surety/security/bank

guaranty in the like amount. Balance 25% amount be invested in fixed deposit in any nationalised bank for the period till disposal of appeal. Civil application stands disposed of accordingly.

(R.G. AVACHAT, J.)

SSD