

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3586 OF 2021 IN FIRST APPEAL (ST.) 21239/2014
(WITHDRAWAL OF AMOUNT)

VENKAPPA NINGAPPA CHENDKAPURE (DIED) THR LRS. BALBHIMVENKAT @
VENKAPPA CHENDAKAPURE
VERSUS
THE EXECUTIVE ENGINEER IRRIGATION PROJECT STRENGTHENING
DIVISION OMERGA AND OTHERS

...
Advocate for Applicant : Mr. Ingale Vivekanand V.
Advocate for Respondent no. 1 : Mr. Jeevan R. Patil h/f. Mr. G.B. Rajale
AGP for Respondent - State : Mr. P. M. Kulkarni
...

CORAM : ANIL S. KILOR, J.
DATE : 18-03-2021

ORDER :

1. This Court vide Order dated 12-12-2019 passed in Civil Application no. 14230 of 2019 in First Appeal No. 962 of 2018 with Civil Application no. 14256 of 2019 in First Appeal No. 951 of 2018 arising out of the same acquisition proceedings, permitted the appellants in those appeals to withdraw the amount to the extent of 75%, 50% by furnishing usual undertaking and 25% by furnishing solvent security.
2. In that view of the matter, the respondents have no objection to allow the present Application on the same terms and conditions.
3. Accordingly, the applicant is permitted to withdraw 75% of the amount deposited in this Court on condition to furnish undertaking for 50% of the amount, to the effect that in the event, the decision in first appeal goes adverse to their interest, they would pay back / re-deposit the amount in this Court being withdrawn under this order within a period of three months from the date of such decision and for remaining 25% of the amount, on furnishing solvent security to the satisfaction of Registrar (Judicial) of this Court. The Civil Application is disposed of.

[ANIL S. KILOR]
JUDGE

arp/