

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

**CIVIL APPLICATION NO. 6239 OF 2020
IN
FIRST APPEAL NO. 1273 OF 2017**

Bharat Tatyaba Jadhav

..APPLICANT

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....

Mr. N.J. Patil, Advocate h/f Mr. D.D. Sarawade Patil, Advocate for applicant
Mr. S.N. Kendre, A.G.P. for respondent - State

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**CORAM : R.G. AVACHAT, J.
DATED : 20th AUGUST, 2021**

PER COURT :

1. Now the entire amount under the award has been deposited by the appellant/acquiring body. The applicant had been permitted to withdraw 50% of the amount that was deposited by the acquiring body earlier. Subsequent thereto, this Court had granted stay to the execution of the impugned award and therefore, the applicant, though armed with the order of withdrawal, could not withdraw the amount permitted to be withdrawn.

2. In supersession of all the earlier orders passed in this regard, following order is passed :-

The amount presently in deposit with this Court be immediately transferred to the reference Court. Thereafter, the reference Court shall pay

to the applicant 75% of the amount under the impugned award, 50% on furnishing usual undertaking to the satisfaction of the reference Court and 25% against solvent surety/security/bank guaranty. Balance 25% amount be invested in fixed deposit with any of the nationalised bank until further orders. Civil application stands disposed of accordingly.

(R.G. AVACHAT, J.)

SSD