

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

**CIVIL APPLICATION NO. 10556 OF 2021
IN
FIRST APPEAL STAMP NO. 3737 OF 2020**

Umesh Gurling Wagdhare ... Applicant
Versus
The Chief Engineer (Construction)
Central Railway, Mumbai and others ... Respondents

AND

**C.A. NO. 10557 OF 2021 IN FIRST APPEAL (ST) NO. 3852 OF 2020
C.A. NO. 10558 OF 2021 IN FIRST APPEAL (ST) NO. 3860 OF 2020
C.A. NO. 10560 OF 2021 IN FIRST APPEAL (ST) NO. 3856 OF 2020**

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Mr. S. S. Halkude, Advocate for applicants
Mr. M. N. Navandar, Advocate for respondent Nos. 1 and 2
Mr. A. M. Phule, AGP for respondent Nos. 3 and 4

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CORAM : R. G. AVACHAT, J.

DATED : 04th OCTOBER, 2021

PER COURT :-

. Heard.

2. The applicants seek withdrawal of the amount in deposit with this Court.

3. Learned Advocate for the acquiring body placed reliance on two orders of this Court to suggest that the applicants will be

permitted to withdraw 25% of the amount against undertaking and 50% amount against solvent security/bank guarantee.

Learned Advocate for the applicants, however, came around to submit that the applicants be permitted to withdraw 50% of the amount on furnishing undertaking. The Court finds no difficulty in considering his request.

4. In view of the same, the applicants are permitted to withdraw 50% of the amount in deposit with interest accrued thereon on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. Balance amount be kept in fixed deposit, pending the appeals.

5. The civil applications stand disposed of.

[R. G. AVACHAT, J.]

SMS