

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

**CIVIL APPLICATION NO. 9404 OF 2021
IN
FIRST APPEAL (ST) NO. 5452 OF 2014**

Nivrutti @ Kiran Vitthalrao Ambhure

..APPLICANT

VERSUS

The Godavari Marathwada Irrigation
Development Corporation
Through the Executive Engineer
and Others

..RESPONDENTS

....

Mr. V.D. Bhise, Advocate for applicant

Mr. H.T. Gaikwad, Advocate for respondent no.1

Mr. S.N. Kendre, A.G.P. for respondent nos. 2 and 3

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CORAM : R.G. AVACHAT, J.

DATED : 14th SEPTEMBER, 2021

PER COURT :

1. Heard. Perused the impugned award.
2. Issue notice to the respondents. Mr. Gaikwad, learned counsel waives service of notice for Respondent No.1 and learned A.G.P. waives service of notice for Respondent Nos. 2 and 3.
3. Learned counsel for the acquiring body strongly objects to permit withdrawal of amount.

4. For the reasons given in the application, the applicant is permitted to withdraw 75% of the amount in deposit, 50% on submitting usual undertaking to the satisfaction of the Registrar (Judicial) of this Court and 25% on furnishing solvent surety/security/bank guaranty in the like amount. Balance 25% amount be invested in fixed deposit with any of the nationalised bank till disposal of appeal. Civil application stands disposed of accordingly.

(R.G. AVACHAT, J.)

SSD