

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

920 CIVIL APPLICATION NO.13941 OF 2022
IN FIRST APPEAL NO.1102 OF 2020

MUMTAZ ALI MIR MAZHAR ALI
VERSUS
THE EXECUTIVE ENGINEER, VISHNUPURI PROJECT
DIVISION, NANDED NOW LENDI PRO. DIV., DEGLOOR &
OTHERS

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Advocate for Applicant : Mr.G.N.Chincholkar
AGP for Respondent-State : Mr.A.B.Chate
Advocate for Respondent no.1 : Mr.B.R.Surwase

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CORAM : S.G.DIGE, J.
DATE : 04.10.2022

P.C. :

1] Heard the learned counsel for the applicant, the learned AGP for the respondent-State and the learned counsel for respondent no.1.

2] The learned counsel for the applicant submits that in connected group of matters, this Court has permitted the applicants therein to withdraw 50% amount on furnishing undertaking and 20% amount on furnishing solvent surety, hence, requested to pass same order.

3] The learned counsel for respondent no.1 submits that appropriate order be passed.

4] Considering the submissions of all learned counsel as well as this Court [Coram : M.G.Sewlikar, J.] has permitted the applicants in connected group of matters to withdraw 70% amount out of deposited amount, hence, I pass the following order:-

ORDER

- i] The application is allowed.
- ii] The applicant is permitted to withdraw 50% amount along with accrued interest thereon, out of award amount, on furnishing undertaking. The applicant is permitted to withdraw 20% amount along with accrued interest thereon, out of award amount, on furnishing solvent surety.
- iii] Civil Application is disposed of accordingly.

**[S.G.DIGE]
JUDGE**

DDC