

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

CIVIL APPLICATION NO.6136 OF 2023
IN FA/2734/2022

YAKUB SHAIKHLAL PATEL
VERSUS
THE EX. ENGINEER, MIN. IRRI. DIV. OSMANABAD AND ORS

...
Advocate for Applicant : Mr. R.V.Naiknavare and D.A. Naik
AGP for Respondents: Mr. A.B. Chate.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 20TH JUNE, 2023

ORDER :-

1. This is an application seeking withdrawal of the amount deposited by the appellant Acquiring Body in pursuance of the award by the Reference court.
2. Having considered the submissions advanced, it would be appropriate to permit the applicant to withdraw 65% of the amount deposited in this court subject to furnishing an undertaking that in case of any adverse orders in the appeal, he shall refund the amount alongwith interest accrued thereon as stipulated in the final order. The balance 35% amount be kept in the Fixed Deposit in any Nationalized Bank initially for the period of two years and in case the appeal is not decided, the Fixed Deposit shall be renewed till disposal of the appeal.
3. Applications stand disposed of.

**[S.G. CHAPALGAONKAR]
JUDGE**