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19ca13037.24

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

**19 CIVIL APPLICATION NO. 13037 OF 2024
IN FAST/16163/2023**

AND

**CIVIL APPLICATION NO. 6966 OF 2023
IN FAST/16163/2023**

AND

**CIVIL APPLICATION NO. 6967 OF 2023
IN FAST/16163/2023**

GANIBHAI CHANDULAL SAYYED

....Applicant

VERSUS

**THE EXECUTIVE ENGINEER NANDUR MADHMESHWAR
KALWA AND ANR**

.....Respondent

Mr. S. B. Solanke, Advocate for the applicant
Mr. Sunil Prabhudeo Sonpawale, Advocate for the respondent
No.1

CORAM : KISHORE C. SANT, J.

DATE : 10th DECEMBER, 2024

P. C.

DELAY

1. Heard.

2. For the reasons stated in the application, the delay

stands condoned. The application stands allowed.

3. The office to register the appeal.

APPEAL

1. Heard.
2. **Admit.**
3. Call R & P
4. Mr. Solanke, Advocate waives service of notice for the respondent on admission.

STAY

1. Since the amount is already deposited in the office of this court, there shall be stay to the impugned judgment and award till disposal of the appeal.

WITHDRAWAL

1. Heard.
2. This application is for withdrawal of the amount deposited in the office of this court by the appellant.
3. After hearing the parties, following order is passed:

ORDER

- a] The application stands allowed.
- b] The applicant is permitted to withdraw 50% of the amount deposited in the office of this court alongwith accrued interest on furnishing usual undertaking. Further 25% of the amount is allowed to be withdrawn alongwith accrued interest on giving solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this court. Remaining amount be kept in a fixed deposit in any nationalized bank to be renewed from time to time till pending the appeal.

[KISHORE C. SANT, J.]