



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

CIVIL APPLICATION NO. 12356 OF 2023 IN FA/3387/2023

HANUMANT MAHALING MENGAL
VERSUS
THE EX. ENGINEER, C.R. (NIRMAN) SOLAPUR PROPER DY. CHIEF
ENGINEER, (CONSTRUCTION) PUNE AND ORS

...
Advocate for Applicant : Mr. Vikram Shivaji Undre
AGP for Respondents No.2 and 3 : Mr. A. S. Shinde

...
CORAM : S. G. MEHARE, J.
DATE : 25-01-2024

PER COURT :-

1. Heard the learned counsel for the applicant. None present for respondent No.1/appellant.
2. Perused the application.
3. Considering the facts of the case, the application deserves to be partly allowed. Hence, the order;
 - i) The applicant is permitted to withdraw 75% of the deposited amount with proportionate accrued interest on the conditions that the 50% amount with proportionate interest be released on furnishing usual undertaking that he will deposit the amount, if the impugned judgment and award is reversed and 25% amount with proportionate interest be released on furnishing security.
 - ii) The balance 25% amount with proportionate interest be invested in the fixed deposit in any nationalized bank till further orders.

**(S. G. MEHARE)
JUDGE**

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