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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

63 CIVIL APPLICATION NO. 5184 OF 2024
IN FAST/23494/2020

AND

CIVIL APPLICATION NO. 5186 OF 2024
IN FAST/23504/2020

AND

CIVIL APPLICATION NO. 5185 OF 2024
IN FAST/23136/2020

DIGAMBAR MARUTI BHOSALE

....Applicant

VERSUS

THE EX. ENGINEER, MED. PRO. OFFICE NO. 2 OSMANABAD
AND ORS

.....Respondent

Mr. P. B. Kulkarni, Advocate h/f Mr. Raghuraj Deshmukh,
Advocate for the applicant

Mr. S. W. Munde, Advocate for the respondent No.1

Mr. S. K. Shirse, AGP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 12th JULY, 2024

P. C.

1. These applications are for withdrawal of amount deposited by the insurance company in this court pursuant to the judgment and award passed by the learned reference court.

2. The applications are vehemently opposed by the Mr. Munde, learned advocate for the acquiring body.

3. This court finds that since the amount is deposited as per the award and that the applicants are claimants, it would be desirable to allow the applicants to withdraw the amount. Hence, the following order:-

ORDER

a] The applicants are allowed to withdraw 50% of the amount deposited in this court alongwith accrued interest on giving undertaking that in case the appeal is allowed, they shall re-deposit the amount within 12 weeks from the date of such judgment with interest. Further 25% of the amount deposited is allowed to be withdrawn alongwith accrued interest on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this court.

b] The applications stand disposed off.

[KISHORE C. SANT, J.]