



(1)

917ca9775.24

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

**917 CIVIL APPLICATION NO. 9775 OF 2024
IN FAST/37825/2023**

AND

**CIVIL APPLICATION NO. 8542 OF 2024
IN FAST/37825/2023**

AND

**CIVIL APPLICATION NO. 14645 OF 2023
IN FAST/37825/2023**

AND

**CIVIL APPLICATION NO. 14647 OF 2023
IN FAST/37825/2023**

**THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION
JALNA AND ORS**

....Applicant

VERSUS

BABURAO KISAN UBALE

.....Respondent

Mr. Hemraj P Kshirsagar, Advocate for the applicant

Mrs. Akshara Sharad Madake, Advocate h/f Mr. A. B. Kale,
Advocate for the respondent

Mr. S. N. Kendre, AGP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 25th OCTOBER, 2024

P. C.

CA/9775/2024

1. Since the amount is already deposited in the office of this court, the application stands disposed off as infructuous.

WITHDRAWAL

1. The application is for withdrawal of the amount.
2. The application is vehemently opposed by Mr. Kshirsagar, learned advocate.
3. Considering the argument, following order:

ORDER

a] The applicant is permitted to withdraw 50% of the amount alongwith accrued interest on furnishing usual undertaking and further 25% of the amount is allowed to be withdrawn alongwith accrued interest on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this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] Remaining amount be kept in any fixed deposited in any nationalized bank pending the appeal.

c] The application stands disposed off.

DELAY

1. Heard.
2. For the reasons stated in the application, the delay stands condoned. The application stands allowed.
3. Office to register the appeal.

STAY

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

[KISHORE C. SANT, J.]