



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

**CIVIL APPLICATION NO. 13470 OF 2025
IN FA/1747/2025**

Yogesh Vinayak Jagtap And Anr

VERSUS

Keshav Bajirao Cholake

...

Mr. Shaikh Sohail Yusuf Jahagirdar, Advocate for Applicants

Mr. Abhijit Choudhari, Advocate for Respondent no.2

WITH

**CIVIL APPLICATION NO. 7121 OF 2025
IN FA/1747/2025**

CORAM : SANJAY A. DESHMUKH, J.

DATED : 08th DECEMBER, 2025

PER COURT :-

CIVIL APPLICATION NO. 13470 OF 2025

1. This is an application for withdrawal of amount deposited in this Court under impugned judgment and award.
2. Perused the application. Heard learned Advocates for both the sides.
3. Learned Advocate Mr. Abhijit Choudhari appearing for respondent no.2 strongly opposed the application and submitted that there is delay of 36 days caused in lodging the First Information Report, therefore, the case of the claimant is doubtful. He submitted to reject the application.
4. Considering the peculiar set of the facts, application deserves to be partly allowed. Hence, the following order:

ORDER

- a. Civil Application is partly allowed.
- b. Applicants are permitted to withdraw 50% amount out of deposited amount alongwith interest accrued thereon on furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court.
- c. Civil Application stands disposed of.

CIVIL APPLICATION NO. 7121 OF 2025

1. This is an application for granting stay to the execution and operation of the impugned judgment and award.
2. Learned Advocate for the appellant submitted that the appellant has deposited the entire amount under impugned judgment and award.
3. Considering the above fact, Civil Application deserves to be allowed and is allowed in terms of prayer clause 'B'. Civil Application stands disposed of.

(SANJAY A. DESHMUKH, J.)