

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

**CIVIL APPLICATION NO. 2327 OF 2016
IN
FIRST APPEAL NO. 1745 OF 2014**

Unitech Limited

...APPLICANT

versus

The State of Maharashtra and another

...RESPONDENTS

.....
Mr. Y.B. Bolkar Advocate for applicant
Mr. S.S. Dande, AGP for respondent No. 1
Mr. A.S. Bajaj, Advocate for respondent No. 2
.....

**CORAM : S. V. GANGAPURWALA AND
K.K. SONAWANE, JJ.**

DATED : 29th APRIL, 2016.

Order :-

1. This is an application for withdrawal of amount.
2. Mr. Bolkar, learned counsel for applicant submits that in respect of same acquisition proceedings, in companion matters, this court has already passed order for withdrawal of amount, wherein 50% amount was allowed to be withdrawn.
3. We have also heard learned Assistant Government Pleader for respondent No. 1 and Mr. Bajaj learned counsel for respondent No. 2.
4. We have considered the submissions. On parity, we will be required to pass following order :

The applicant is allowed to withdraw Rs.75,00,000/-

(Rupees Seventy Five Lakhs) on submitting an undertaking to the Court that in the event, the applicant is directed to deposit the amount, the applicant or the person who filed undertaking would deposit the same within a period of one month. The applicant is further allowed to withdraw Rs.75,00,000/-(Rupees Seventy Five Lakhs) on submitting solvent security/surety of the like amount or bank guarantee of scheduled Bank and remaining amount be kept in fixed deposit in any Nationalized Bank.

5. The civil application is disposed of accordingly.

Sd/-

[K. K. SONAWANE, J.]

Sd/-

[S. V. GANGAPURWALA, J.]

MTK