

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

990 CIVIL APPLICATION NO. 10553 OF 2016
IN FA/2629/2013

BHARAT BHIWAJI KAMBLE
VERSUS
BHAGWAN BAJIRAO TANDALE AND ORS

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Advocate for Applicant : Mr. Bade Patil K.D.

Mr. A.S.Deshpande For R/1 And 2

Mr. SS Dargad, Adv. h/för Mr. SG Chapalgaonkar, Adv.
For R/3

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CORAM : P.R. BORA, J.

Dated: July 29, 2016

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PER COURT :-

1) Heard the learned Counsel appearing for the applicant and The learned Counsel for Respondent Nos.1 & 2. Though learned Counsel appearing for Respondent Nos.1 & 2 has opposed for withdrawal of the amount, I do not see any reason for rejecting the application. Hence, the following order, -

i) The applicant is permitted to withdraw 50% of the amount on submitting an undertaking that in the event any adverse order is passed against him in the appeal, he will re-deposit the said amount in this court within 4 months of passing

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such order;

- ii) Balance 50% amount be invested in Fixed Deposit Receipt of any Nationalized Bank initially for a period of two years, to be renewed if so required till disposal of the appeal.
- iii) CA for withdrawal of the amount is disposed of.

2) Place the appeal for final hearing on 25th August, 2016.

(P.R. BORA, J.)

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