

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

947 CIVIL APPLICATION NO. 10145 OF 2017  
IN FA/480/2017

BHARAT GANPATI SAWANT  
VERSUS  
THE STATE OF MAHARASHTRA AND ORS

...

Advocate for Applicant : Mr. Doke Kishor R  
AGP for Respondent No.1: Mr. S. S.Dande

**CORAM : K. L. WADANE, J.**

**DATE : 7th September, 2017**

**ORDER:**

1. Heard Mr. Doke, the learned counsel for the applicant and learned AGP for respondent No.1.

2. This is an application for withdrawal of the amount of Rs.67,26,794/- deposited by the respondents in this Court. Mr. Doke, the learned counsel submits that the land of the applicant to the extent of 3 hectares is acquired by the acquiring body and the house in which the applicant was residing is collapsed. In such circumstance, the applicant is in need of money for construction of his house. The learned AGP opposed the application on the grounds stated in the appeal memo.

3. Presently, the award is in favour of the applicant and for the reasons stated in the

application, the same has to be paid to the applicant.

Hence following order:

**O R D E R**

1. The applicant is are allowed to withdraw 75% of the amount deposited in this court with interest accrued thereon, on furnishing undertaking that in the event of adverse order passed in the appeal, he shall deposit the entire amount within a period of 12 weeks.
2. Remaining 25% amount shall be invested in fixed deposit in the name of the applicants initially for a period of 13 months in any nationalized Bank and shall be renewed thereafter as per directions of the Court.
4. The civil application is disposed of

**(K. L. WADANE, J.)**

JPC