

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

**CIVIL APPLICATION NO. 9316 OF 2018
IN WP/2780/2014**

**MANGALABAI MADHUKARRAO DANVE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr.A.B.Kale, Advocate for applicant.
Mr.S.P.Sonpawale, AGP for respondent/State

**CORAM : S.V. Gangapurwala &
S.M.GAVHANE, JJ.
DATED : 24.08.2018**

P.C. :-

The present application is filed for withdrawal of the amount deposited by the non applicant.

2. Mr. Kale, learned counsel submits that the amount is deposited by the respondent pursuant the order of this Court dated 25.02.2015. The learned counsel submits that the said amount is the principal amount agreed to be paid to the petitioner by the respondent in regard to the land acquired by them. The petitioner has filed the Writ Petition seeking compensation as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The amount deposited in undisputed amount.

3. Learned AGP submits that the respondent tried to make payment to the petitioner but the petitioner refused to accept the same.

4. It is not disputed by the respondent that the petitioner is entitled to the amount deposited by the respondent. Other dispute can be taken care of while deciding the Writ Petition.

5. The petitioner/applicant is allowed to withdraw the amount of Rs. 8,00,000/- (Rs. Eight lacks) deposited by the respondent without prejudice to the rights and contentions of either of the parties on petitioner submitting an indemnity bond with the non-applicant.

6. Civil Application is disposed of.

[S.M.GAVHANE, J.]

[S.V. GANGAPURWALA, J.]