

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

**24 CIVIL APPLICATION NO.7686 OF 2019
IN FA/344/2017 WITH CA/7684/2019 IN FA/352/2017 WITH
CA/7685/2019 IN FA/356/2017 WITH CA/7687/2019 IN FA/353/2017**

**UDDHAV DADARAO PATIL
VERSUS
STATE OF MAHARASHTRA AND ORS**

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Advocate for Applicant : Mr. S.S. Choudhari, h/f Mr. Sarawade Patil
Dattatray D.
AGP for Respondent No. 1 : Mr. S.S. Dande.

**CORAM : MANGESH S. PATIL, J.
DATE : 05/12/2019**

PER COURT :

Heard.

2. The original claimant has filed this application for withdrawal of the remaining 50 % of the amount deposited by the Acquiring Body in this Court. The learned advocate for the claimant submits that the Reference Court had awarded the compensation relying upon a Land Acquisition Reference decided earlier but the Acquiring Body has not challenged it by preferring any appeal and therefore the claimant be allowed to withdraw the balance amount of 50 %.

3. This Court by the order dated 08.01.2018 had allowed the claimant to withdraw 50 % of the amount. The ground being put forth now

to withdraw the remaining 50% was very well available to the claimant even at that time. For whatever reason, when my predecessor has allowed the claimant to withdrawn 50% of the amount, it would not be appropriate to reconsider the request and allow the claimant to withdraw the balance amount of 50 % on the ground of impropriety.

4. The Civil Applications are rejected.

(MANGESH S. PATIL, J.)

mkd