

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

916 CIVIL APPLICATION NO.1109 OF 2021
IN FAST/33737/2019

BHAGWAN TULSHIRAM PATIL
VERSUS
THE COLLECTOR, JALGAON AND ORS

Mr.A.B. Kale, Advocate for the applicant.
Mr.P.M. Kulkarni, AGP for respondent/State.
Mr.S.S. Dhongade, Advocate for respondent Nos.2 and 4.

CORAM : N.J.JAMADAR,J.
DATE : 02.03.2021

PC :-

01. This is an application for withdrawal of amount of compensation deposited by appellant No.1 – acquiring body, in pursuance of judgment and award dated 27.02.2018 passed by the Reference Court in LAR No.63 of 2012 and connected matters.

02. There are averments in the application in justification of prayer for withdrawal. It is submitted on behalf of the applicant that the acquiring body has chosen not to assail the orders passed by the Reference Court in the matters, which arose out of the same acquisition proceeding.

03. In the circumstances, it would be expedient in the interest of justice to allow the applicant to withdraw 75% of the amount.

Hence, following order :-

The applicant is entitled to withdraw 75% of the amount deposited by respondent No.4 – appellant/ acquiring body, on furnishing an undertaking to the satisfaction of the learned Registrar (Judicial).

04. The application stands disposed of.

[N.J.JAMADAR,J.]