

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

909 CIVIL APPLICATION NO.6702 OF 2020
IN FA/291/2015 WITH CA/2502/2017 IN FA/291/2015

SHIVAJI MAHADU SONTAKKE (DECEASED) THR LRS
KANTABAI SONTAKKE AND ORS

VERSUS

THE STATE OF MAHARASHTRA THR COLLECTOR,
OSMANABAD AND ANR

...

AND

910 CIVIL APPLICATION NO.837 OF 2021
IN FA/340/2015

DASRAO MARTANDRAO INAMDAR (DECEASED) THR
LRS VILAS INAMDAR AND ANR

VERSUS

THE STATE OF MAHARASHTRA THR COLLECTOR,
OSMANABAD AND ANR

...

AND

911 CIVIL APPLICATION NO.9405 OF 2021
IN FA/2103/2014

JEEVAN RAJU BIRAJDAR

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR,
OSMANABAD AND ANOTHER

...

AND

912 CIVIL APPLICATION NO.9433 OF 2021
IN FA/306/2015

VENKAT NAGORAO GAIKWAD

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR,

OSMANABAD AND ANOTHER

...

Advocate for the Applicants : Shri N.B.Khandare.
AGP for Respondent 1 in CA 6702/20 & 9433/21 : Shri S.R.
Yadav Lonikar
AGP for Respondent 1 in CA 837/21 : Shri S.B. Pulkundwar
AGP for Respondent 1 in CA 9405/21: Shri S.B. Yawalkar
Advocate for Respondent 2 : Shri S.S. Dande

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**CORAM : RAVINDRA V. GHUGE
&
S.G. MEHARE, JJ.**

DATE :- 24th September, 2021

Per Court :-

1. In Civil Application No.6702/2020, we permit applicant No.2 to add her maiden name along with her existing marital name. Addition shall be carried out forthwith.
2. By all these Civil Applications, the applicants pray for withdrawal of amounts towards interest that have accumulated on the award amounts deposited in the Bank.
3. We have heard the learned advocates for the respective sides. Under the orders of the Honourable Supreme Court, entire amounts have been deposited and in the matters of similarly situated applicants in Civil Application No.6305/2020 in First Appeal No.2096/2014 and connected matters, this Court

has passed the order on 12.08.2021, permitting withdrawal of amounts.

4. It is, therefore, submitted that same terms and conditions may be imposed even to the extent of withdrawal of interest amounts meaning thereby, 50% of the interest amount shall be withdrawn by tendering an affidavit as set out in direction 6(a) of the order dated 12.08.2021 and the remaining amount of interest by furnishing security to the satisfaction of the learned Registrar (Judicial) of this Court.

5. In view of the above, this Civil Applications are allowed with the following directions :-

(a) Similar to the earlier directions for withdrawal, the applicants would withdraw 50% of the interest amount by tendering an affidavit undertaking stating therein that if these applicants suffer an adverse order in this litigation, they would redeposit those amounts, in this Court within 8 weeks, failing which, this Court would impose interest.

(b) The remaining interest amount can be withdrawn by these applicants by furnishing security to the satisfaction of the learned Registrar (Judicial) of this Court, as the amounts are deposited at Aurangabad.

(c) The applicants would tender a copy of their Aadhar Cards duly attested and would be identified by the concerned advocates at the time of the withdrawal of the interest amounts. In addition, they would also tender a recent colour photograph alongwith the application for withdrawal.

kps

(S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)