

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 38 OF 2021 IN FA/746/2019

LAXMAN GYANDEO DHOTRE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

WITH
CA/39/2021 IN FA/748/2019
(MANOHAR GYANDEO DHOTRE VS. THE STATE AND ANOTHER)

WITH
CA/40/2021 IN FA/747/2019
(RAM GYANDEO DHOTRE VS. THE STATE AND ANOTHER)

...
Advocate for Applicants : Mr. M.S. Patil in all CAs
AGP for Respondent – State : Mr. P.M. Kulkarni
Advocate for Respondent no. 2 : Mr. R.B. Deshpande in all CAs
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CORAM : ANIL S. KILOR, J.
DATE : 18-03-2021

ORDER :

1. These applications are moved by the claimants for withdrawal of the amount deposited in this Court by the acquiring body.
2. The reasons mentioned in the Civil Applications justify the prayers for withdrawal of the amount by the applicants.
3. The non-applicant/acquiring body has not filed any reply to these Civil Applications opposing the prayers made in the Civil Applications. However, orally, the learned counsel for the appellant submits that the amount being not more than 50% of the deposited amount, it may be permitted to be withdrawn by the applicants as the acquiring body is having good case on

merits and in case, the acquiring body succeeds in the present matters, it may be difficult for the acquiring body to recover the amount.

4. In that view of the matter, the Civil Applications are partly allowed and the claimants are permitted to withdraw 50% amount of the total amount deposited in this Court on furnishing undertaking to the effect that in the event, decision in First Appeal/s is adverse to their interest, they would pay back / re-deposit the amount in this Court being withdrawn under this order within a period of three months from the date of such decision.

5. Civil Applications are disposed of.

[ANIL S. KILOR]
JUDGE

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