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

912 CIVIL APPLICATION NO.718 OF 2020
IN FA/1898/2019

DATTU GOPALA GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for Applicant : Mr. Kale Ajeet B.
Mr. SS Dande, AGP for Respondents: 1 & 2

CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 17th June, 2021.

PER COURT :-

1. Present application has been filed for withdrawal of the amount deposited by the acquiring body.
2. Heard both sides.
3. Though learned AGP has strong objection for withdrawal of the amount, prima facie, it appears that the enhancement that has been granted is within four times and, therefore, in view of Government Resolution dated 3rd November, 2016, there is no hurdle in allowing the applicant to withdraw partial amount.
4. The amount that has been deposited in this case is Rs.47,46,773/- and, therefore, the applicant is allowed to withdraw an amount of Rs.

(2)

35,00,000/-.

5. The applicant shall file an undertaking within a period of eight weeks that he would make the said amount good, if directed at the time of final disposal of the appeal.

6. The Civil Application stands disposed of.

(SMT. VIBHA KANKANWADI)
JUDGE

BDV