

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

981 CIVIL APPLICATION NO.1984 OF 2022
IN FIRST APPEAL NO.2251 OF 2018

...
DEVIDAS AMBADAS NAIKWADI [DIED] THROUGH
L.Rs.KUSUM AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

...
Advocate for applicants : Mr.R.V.Naiknavare
AGP for respondent-State : Mr.S.S.Dande
Advocate for respondent no.3 : Mr.Jeevan R. Patil
h/f.Mr.G.B.Rajale

...
CORAM : S.G.DIGE, J.
DATE : 13.09.2022

P.C. :

1] Heard the learned counsel for the applicants, learned AGP and the learned counsel for respondent no.3.

2] The learned counsel for the applicants submits that applicants' land is acquired by respondent no.3. In connected group of matters, this Court [Coram : Shrikant D. Kulkarni, J.] has permitted the applicant therein to withdraw 75% amount out of deposited amount, hence, the same order be passed.

3] The learned counsel for respondent no.3 submits that appropriate order be passed.

4] Considering submissions of both learned counsel and this Court [Coram : Shrikant D. Kulkarni, J.], in connected group of matters, has permitted the applicant therein to withdraw 75% amount, hence, this court cannot take different view and I pass the following order :

ORDER

i] The application is allowed.

ii] The applicant is permitted to withdraw 75% amount along with accrued interest thereon out of deposited amount on furnishing undertaking. The remaining 25% amount be kept in Fixed Deposit in any National Bank.

iii] Civil Application is disposed of accordingly.

**[S.G.DIGE]
JUDGE**

DDC