

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

CIVIL APPLICATION NO.1983 OF 2022 IN FA/2120/2015

**AZIMBHAI MAHEBUB PATEL
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND OTHERS**

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Mr. L.C. Patil, Advocate for the Applicant
Mr. N.T. Bhagat, AGP for Respondent Nos.1 and 2 / State
Mr. R.A. Tambe, Advocate for Respondent No.3 / acquiring body.

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CORAM : SHRIKANT D. KULKARNI, J.

DATE : 27th APRIL, 2022

PER COURT:-

1. It is an application for withdrawal of compensation amount moved by the applicant / claimant .
2. Heard Mr. L.C. Patil, learned counsel for the applicant / claimant and Mr. N.T. Bhagat, learned A.G.P. for respondent Nos. 1 and 2, and Mr. Tambe, learned counsel for Respondent No.3 / acquiring body.
3. In civil application No.12794 of 2021 in first appeal No.2127 of 2015, this Court (Coram : R.G. Avachat, J.) was pleased to allow the claimants to withdraw 75% of the amount

deposited by the acquiring body on furnishing usual undertaking.
By taking same view, the application needs to be allowed.

ORDER

- (i) The applicant / claimant is hereby permitted to withdraw 75% of the amount with accrued interest thereon subject to furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.
- (ii) Remaining 25% of the amount of compensation with accrued interest thereon shall be invested in the fixed deposit with any nationalized Bank initially for a period of one year with clause of renewal.
- (iii) The civil application is accordingly disposed of.

[SHRIKANT D. KULKARNI]
JUDGE

S.P. Rane