

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

CIVIL APPLICATION NO.2393 OF 2022 IN FA/136/2022

**SALIM KHAN ISMAIL KHAN
VERSUS
THE EX. ENGINEER, KHADAKPURNA PROJECT DEOLGAON RAJA
AND OTHERS**

....

Mr. Vijay B. Patil, Advocate for the Applicant
Mr. Sanjeev B. Deshpande, Advocate for respondent No.1
Mr. A.B. Chate, AGP for respondent nos. 2 and 3

....

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 09th MARCH, 2022

PER COURT:-

1. It is an application for withdrawal of amount moved by the applicant / original claimant.
2. Heard Mr. Vijay Patil, learned counsel for the applicant / claimant, Mr. Sanjeev Deshpande, learned counsel for respondent no.1 and Mr. Chate, learned AGP for respondent nos. 2 and 3.
3. In connected civil application no. 2388 of 2022 in first appeal no. 129 of 2022 with connected matters, this Court has allowed the original claimants to withdraw the compensation amount to the extent of 75%. The same recourse needs to be taken. Hence, the following order.

ORDER

(i) The civil application moved by the applicant / claimant for withdrawal of amount is hereby allowed.

(ii) The applicant / claimant is hereby permitted to withdraw 75% amount of the compensation with accrued interest thereon deposited by the acquiring body / respondent no.1, 50% of the amount with accrued interest thereon subject to furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court and 25% of the amount with accrued interest thereon subject to furnishing solvent surety / security to the satisfaction of the Registrar (Judicial) of this Court.

(iii) Remaining 25% of the amount of compensation with accrued interest thereon shall be invested in fixed deposit in any nationalized Bank initially for a period of one year with clause to renewal.

(iv) The Registry to make payment to the claimant / applicant according to his name appeared on Aadhaar Card.

(iv) The civil application are disposed of accordingly.

[SHRIKANT D. KULKARNI]
JUDGE

S.P Rane