

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

944 CIVIL APPLICATION NO.9575 OF 2022
IN FIRST APPEAL NO. 505 OF 2022

SHAIKH SALIM MALANG PATEL
VERSUS

STATE OF MAHARASHTRA THROUGH SPECIAL LAND
ACQUISITION OFFICER, J.P. NO.1, AURANGABAD AND ANOTHER

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Advocate for Applicant : Mr. Shaikh Kayyum Najir
AGP for Respondents – State : Mr. P. M. Kulkarni
Advocate for Respondent No. 2 : Mr. S. G. Bhalerao

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CORAM : S. G. DIGE, J.

DATE : 07.07.2022

PER COURT :

. Heard learned counsel for applicant, learned AGP for respondent – State and learned counsel for respondent No.2.

2. Learned counsel for applicant submits that respondent No.2 has preferred the appeal against the order passed by learned Reference Court. Respondent No.2 has deposited the entire award amount before this Court. Applicant is a farmer. His only source of income was agricultural land which is acquired by respondent No.2. Applicant is facing financial crisis.

3. In the connected group of matters this Court has allowed the claimant in that matter to withdraw the amount. Hence, applicant be permitted to withdraw the amount.

4. Considering the submissions of learned counsel as well as reasons mentioned in the application in connected group of matters this Court has allowed the claimants to withdraw the amount, hence, I pass the following order :

ORDER

1. Application is allowed.
2. Applicant is permitted to withdraw 50 % amount on furnishing undertaking.
3. Applicant shall withdraw 25 % amount by furnishing solvent surety.
4. Office objections be remove.
5. Civil Application is disposed of accordingly.

(S. G. DIGE)
JUDGE

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shp/-