

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

36 CIVIL APPLICATION NO.9378 OF 2022
IN FA/1354/2021 WITH CA/5873/2021 IN FA/1354/2021

RAMCHANDRA DHONDIBA BAGUL
VERSUS
THE OFFICER IN- CHARGE, OFFICE OF MAHARASHTRA
INDUSTRIAL DEV. CO., AURANGABAD AND ANOTHER

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Advocate for Applicants : Mr. C. T. Jadhav
Advocate for Respondent Nos.1 & 2 : Mr. S. S. Dande
AGP for Respondent Nos.3 & 4: Mr. A. A. Jagatkar

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 25/07/2022.**

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P. C. :

1. Heard.
2. The learned counsel Mr. S. S. Dande waives service on behalf of respondent Nos.1 & 2.
3. This is an application for withdrawal of the amount by the applicant, who is original claimant. The learned counsel for the applicant submits that the applicant is in need of the amount for the reasons mentioned in the application itself and therefore sought that the applicant may be permitted to withdraw the amount of Rs.31,85,995/- along with interest.

4. On the contrary, the learned counsel Mr. S. S. Dande appearing for respondent Nos.1 & 2 - acquiring body submits that only 50% amount can be withdrawn by the claimant to safeguard interest of the acquiring body. He also prayed that the matter be heard finally after such withdrawal.

5. In view of the same, applicant is permitted to withdraw 50% of the amount deposited in this court on furnishing usual undertaking before the Registrar (Judicial) of this court that in case the acquiring body succeeds in the present appeal, the applicant would redeposit such amount as per direction of this court.

6. Civil application stands disposed of accordingly.

(SANDIPKUMAR C. MORE)
JUDGE

VS Maind/-