

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

**CIVIL APPLICATION NO.11251 OF 2022
IN FAST/19047/2021**

**DNYANOBA TULSHIRAM DAHIPHALE
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
LATUR AND OTHERS**

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Mr. Gopal D. Kale, Advocate for the applicant.

Mr. A.A. Jagatkar, A.G.P. for the Respondent – State.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 02.08.2022.

ORDER:-

1. The applicant-original claimant is seeking withdrawal of the entire amount of Rs. 11,34,335/- alongwith interest which is deposited by the appellant-State in this Court.

2. The learned A.G.P. strongly opposed the application mentioning that as per the direction of this Court, 75% of the total compensation amount has been readily deposited in the Court and if the amount is given to the applicant, it would create difficulty to recover the same, if the appeal is decided in favour of the appellant – State.

3. However, it appears that this Court has granted stay to the impugned award on deposit of 75% amount of the total compensation amount. The appeal may take some period for final disposal. In view of the same, I grant permission to the applicant – original claimant to withdraw 75% amount alongwith the accrued interest thereon out of the deposited amount of compensation by the State while seeking stay to the impugned award, on filing usual undertaking before the Registrar (Judicial) of this Court.

5. The Civil Application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)