

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 12993 OF 2022
IN FIRST APPEAL (ST) NO. 15233 OF 2020

BHARAT PARAPPA SHINDE
VERSUS
THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION
OSMANABAD AND OTHERS

...
Advocate for Applicant : Mr. J.R. Patil
Advocate for Respondent No.1 : Mr. J.R. Patil h/f.
Mr. G.B. Rajale
AGP for Respondent Nos.2 and 3 : Mr. A.B. Chate
....

CORAM : S.G. DIGE, J.
DATE : 22nd September, 2022

ORDER :

. Heard learned Counsel for applicant, learned A.G.P. for respondent Nos.2 and 3 and learned Counsel for respondent No.1.

2. Learned Counsel for applicant submits that, applicant's lands are acquired by the respondent No.1 since acquiring of lands no compensation is received by the applicant. This Court (Coram : Sandipkumar C. More,

J.) has permitted the applicant therein to withdraw 75% amount on deposit of 100% amount. In the present matter respondent No.1 has deposited 75% amount. Hence, requested to allow the application.

3. Learned Counsel for respondent No.1 strongly objected to allow the application.

4. I have all the learned Counsel. Applicant's lands are acquired by the respondent No.1. Applicant is needed money for his daily expenses. In connected group of matters, applicants therein permitted to withdraw 75% amount out of 100% deposit amount. Hence, I pass the following order :-

ORDER

- (a) Application is allowed.
- (b) Applicant is permitted to withdraw 50% amount out of deposited amount along-with accrued interest thereon on furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court.

- (c) Applicant is permitted to withdraw remaining 25% amount along-with accrued interest thereon on furnishing solvent surety to the satisfaction of the learned Registrar (Judicial) of this Court. Thus applicant is entitled to withdraw total 75% amount deposited by respondent No.1.
- (d) The Civil Application is disposed of.

[S.G. DIGE, J.]