

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.750 OF 2021
IN
FIRST APPEAL NO.43 OF 2001**

Sultankhan Rehman Khan Pathan ...Applicant

In the matter between
The State of Maharashtra ...Appellant

Versus

Rahimkhan Pathankahn since deceased
through LRs
Kedarkhan Ahmadkhan (since deceased
through LRs)
i-a) Ruksana Mardarkhan Pathan and
Ors. ...Respondents

...

Mr. Vishwanath Talkute for the Applicant in Ia/750/2021 and for
Respondent No.4 in FA/43/2001.
Mr. Y.Y. Dabke, AGP for the Appellant-State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 7th OCTOBER, 2022.

P. C. :-

1. By this application, the Applicant has sought withdrawal of the compensation deposited by the Appellant-State as per the impugned Judgment and Award passed by the Reference Court in Land Reference No.92 of 1983.

2. Having considered the reasons stated in the application as well as the grounds raised in the appeal memo, the Applicant is

permitted to withdraw 50% of the compensation along with the proportionate interest accrued thereon, subject to an undertaking that the amount will be refunded with interest in the event the Appellant succeeds in the appeal.

3. Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)