

Pradip

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1996 of 2022
IN
FIRST APPEAL (ST) NO. 9137 OF 2021

Jitendra Dattatraya alias Dattu Mundkar & Anr	...Applicants
<i>In the matter between</i>	
Deputy Collector (Land Acquisition) & Anr	...Appellants
<i>Versus</i>	
Jitendra Dattatraya alias Dattu Mundkar & Anr	...Respondent

Mr Hemant Ghadigaonkar, for the Applicants.
Mr AR Patil, AGP for the State.

CORAM G.S. Patel &
M.G. Sewlikar, JJ.
DATED: 7th June 2022

PC:-

PRADIPKUMAR
PRAKASHRAO
DESHMANE

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1. The Interim Application is filed by the Respondents to the Appeal seeking leave to withdraw 50% of the amount deposited by the State without security and the remaining amount with security to the satisfaction of the Reference Court.

2. The Reference Court had permitted withdrawal of 25% of the deposit. The Respondents carried this in Appeal. Their application

or appeal was allowed to be withdrawn with liberty to file the present Interim Application in the State's Appeal.

3. The Applicants (Respondents) are agriculturists. We see no reason why an order as sought should not be made. What form of the security is to take is left to the decision of the Reference Court. Accordingly Interim Application is made absolute in terms of prayer clause (a) which reads thus:

(a) That the Applicants be permitted to withdraw 50% of the amount deposited by State without security and remaining amount with security towards satisfaction of the reference court.

4. Interim Application is disposed of in these terms.

5. No costs.

(M.G. Sewlikar, J)

(G. S. Patel, J)