

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

**CIVIL APPLICATION NO. 171 OF 2021
IN
FIRST APPEAL NO. 1169 OF 2016**

Shri. Champalal Ramchandra Mundada Applicant
v/s.
The State of Maharashtra and anr. Respondents

Mr. Anil Ahuja for the Applicant.
Ms. Tanaya Goswami, AGP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 06th SEPTEMBER, 2022.

P. C. :-

. Order dated 25/08/2022 records that the Court was not inclined to grant 100% withdrawal of the compensation deposited by the Acquiring Body.

2. Learned counsel for the Applicant had sought time to take instructions as regards the conditions to be imposed for withdrawal of the amount. Learned counsel for the Applicant states that the Applicant as on today is seeking withdrawal of only 50% of the amount and balance 50% can be re-invested pending hearing of the Appeal.

3. Having considered the reasons stated in the Application and

having gone through the reasons recorded in the impugned judgment as well as the grounds raised in the Appeal memo, the Applicant is permitted to withdraw 50% of the compensation deposited by the Acquiring Body. It is made clear that the withdrawal is subject to the final outcome of the Appeal. The Applicant shall file an undertaking before the Joint Civil Judge, Senior Division, Nashik that the amount will be refunded with interest in the event the Appellant – State succeeds in the Appeal. The balance amount be re-invested in any nationalized bank until further orders.

4. Civil Application stands disposed of.

**PREETI
H JAYANI**

(SMT. ANUJA PRABHUDESSAI, J.)

Digitally signed by
PREETI H JAYANI
Date: 2022.09.08
11:12:09 +0530