

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

88 CIVIL APPLICATION NO.7590 OF 2023
IN FA/2755/2021

DYANOBA @ DYANESHWAR BHANUDAS BHOSALE
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

...

Advocate for the applicant : Mr.L.C.Patil
AGP for Respondent-State : Mr.B.V.Virdhe
Advocate for Respondent no.3 : Mr.A.M.Gaikwad

...

WITH

CIVIL APPLICATION NO.8107 OF 2021
IN FIRST APPEAL NO. 2755 OF 2021

WITH

FIRST APPEAL NO. 2755 OF 2021

...

THE MAHARASHTRA KRUSHNA VALLEY DEVELOPMENT
CORPORATION & OTHERS
VERSUS
DYANOBA @ DYANESHWAR BHANUDAS

...

Advocate for the applicants : Mr.A.M.Gaikwad
Advocate for the respondent : Mr.L.C.Patil
AGP for the State : Mr.B.V.Virdhe

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 11.09.2023

P.C. :

A] ORDER IN CIVIL APPLICATION FOR WITHDRAWAL

1] The present Civil Application is filed to withdraw the amount of compensation deposited by the acquiring body in this Court.

2] The learned counsel for the applicant submits that the order dated 4th July, 2023 passed in Civil Application No. 7591 of 2023 in First Appeal No. 2754 of 2021 and other connected matters is also applicable to the facts of this case as it arises out of connected first appeals. The learned counsel for the applicant further submits that the acquiring body has deposited only 75% of the total amount of compensation and that the present application is for withdrawal of the same.

3] In view of the same, the applicant is permitted to withdraw the entire deposited compensation amount which is 75% of the total compensation, along with the interest accrued thereon till date on usual undertaking to the satisfaction of the Registrar [Judicial] of this Court. Civil Application is disposed of accordingly.

B] ORDER IN CIVIL APPLICATION FOR STAY

Since the appellant acquiring body has deposited the entire amount, the earlier stay granted by this Court

stands confirmed and Civil Application is disposed of accordingly.

C] ORDER IN FIRST APPEAL

1] First Appeal is **admitted**.

2] On admission, Mr.L.C.Patil, learned counsel waives notice for the respondent.

3] Office objections, if any, to be removed within four weeks.

**[ARUN R. PEDNEKER]
JUDGE**

DDC