



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

**52 CIVIL APPLICATION NO.8648 OF 2023 IN FA/2876/2023
WITH
CA/8651/2023 IN FA/4350/2023
WITH
CA/8649/2023 IN FA/4349/2023
WITH
CA/8650/2023 IN FA/4348/2023**

**MAHADEV SONAJI LONDHE
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR,
BEED AND ANR**

...

Advocate for Applicant : Jayabhar Dattatraya R.
AGP for Respondent No.1 : Mr. N.S. Tekale
Advocate for Respondent No.2 : Mr. M.C. Swami

CORAM : ARUN R. PEDNEKER, J.

DATE : 04.12.2023

P.C. :

1] The present Civil Applications are filed for withdrawal of entire compensation amount deposited by the acquiring body. On depositing entire amount of compensation in this Court, the stay granted by this Court has been confirmed.

2] Learned counsel for the applicants submits that the order dated 03.04.2023 passed by this Court in Civil Application No.2750/2023 in First Appeal No.1283/2021 is squarely applicable to the present case, wherein the claimants were permitted to withdraw 75% of the deposited amount.

3] Learned counsel for the acquiring body submits that in the aforesaid matter, only 75% of the total compensation amount along with accrued interest there on has deposited, and withdrawal of 75% of the deposited amount is permitted. In the instant case, the acquiring body has deposited 100% amount of the compensation.

4] Having considered the rival submissions, the applicants are permitted to withdraw 75% amounts deposited in this Court i.e. 50% on usual undertaking and 25% on furnishing solvent surety/security to the satisfaction of Registrar (Judicial) of this Court.

5] The remaining amounts be kept in Fixed Deposit in any nationalized Bank on yearly renewal basis til final disposal of these appeals.

6] The civil applications are disposed of accordingly.

[ARUN R. PEDNEKER]
JUDGE

S.P.Rane