

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

945 CIVIL APPLICATION NO.9216 OF 2023
IN FA/1261/2022

**BHANUDAS DADARAO MULE AND ORS
VERSUS
THE STATE OF MAHARASHTRA, THROUGH THE COLLECTOR, LATUR
AND ORS**

...

Advocate for Applicants : Mr. Gajanan Sontakke
AGP for Respondents: Mr. A.B. Chate.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 28TH JULY, 2023

ORDER :-

The applicant seeks to withdraw amount deposited by the respondent State in pending appeal. Mr. G.K. Sontakke, learned advocate invites attention of this court to the order passed in C.A. No. 6273 of 2004 in F.A. Stamp No. 31253 of 2019 alongwith connected matters and submits that this court has already permitted withdrawal of 50% of the amount deposited by the respondents in the similar matters arising out of the same acquisition.

2. Learned AGP for the respondent does not dispute this position.
3. Hence, there is no impediment in passing similar order.

O R D E R

[I] Civil application is allowed.

[ii] Applicants/claimants are permitted to withdraw 50% of the amount with interest accrued thereon subject to furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this court. The claimants are further permitted to withdraw 25% of the amount with interest accrued thereon, on furnishing solvent surety/security in the like amount to the satisfaction of the Registrar (Judicial) of this Court. The remaining amount of compensation with interest accrued thereon shall be invested in Fixed Deposit in a Nationalized Bank with renewal clause.

4. Civil application is disposed of.

[S.G. CHAPALGAONKAR]
JUDGE

grt/-