



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 11149 OF 2023
IN FAST/12177/2019

ASHOK SITARAM RAUT (DIED) THROUGH LRS. DIPALI ASHOK RAUT
AND ANOTHER

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND OTHERS

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Mr. B.K. Pawar, Advocate h/f Mr. A.B. Kale, Advocate for Applicant
Mr. S.K. Shirse, AGP for Respondent – State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 20th DECEMBER, 2023

PER COURT :

1. This civil application is filed for seeking permission to withdraw the amount of compensation deposited by respondent / acquiring body.
2. Learned advocate for applicants has relied on order dated 03/11/2023 passed by this Court [Coram: Kishore C. Sant, J.] in Civil Application No.12973/2023 and other connected matters, whereby applicants are permitted to withdraw 50% amount with accrued interest thereon on executing usual undertaking and 25% amount with accrued interest thereon on furnishing solvent surety/security to the satisfaction of Registrar (Judicial) of this Court.

3. Learned Assistant Government Pleader confirms the fact that said order is passed in connected matters. In that view of the matter, following order:-

ORDER

- (I) Applicants shall withdraw 50% amount with accrued interest thereon on executing usual undertaking and 25% amount with accrued interest thereon shall be allowed to be withdrawn on furnishing solvent surety/securities to the satisfaction of the Registrar (Judicial) of this Court.
- (II) The remaining 25% of the amount with accrued interest thereon be deposited in FDR, in any nationalized bank for a fixed period as the Registrar (Judicial) deems fit.
- (III) Civil Application is accordingly disposed of.

(NITIN B. SURYAWANSHI, J.)