

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

**25 CIVIL APPLICATION NO.12873 OF 2022
IN FA/354/2017**

**BAPU DHONDIRAM ZANJE AND OTHERS
VERSUS
STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND ANOTHER**

...
Advocate for Applicants : Mr.Sarawade Patil Dattatray D.
AGP for Respondents/State : Mr.S.P.Tiwari
...

CORAM : KISHORE C. SANT, J.

DATE : 28.08.2023.

PER COURT :

1. Heard the learned Advocates for the parties.
2. This application is filed in the First Appeal from the Group, wherein already orders are passed allowing the applicant Uddhav Dadarao Patil to withdraw 50% of the amount of compensation deposited in this Court. One of the applicants had approached to the Hon'ble Apex Court wherein the Hon'ble Apex Court has passed an order directing to allow the applicants to withdraw the remaining 50% of the amount on furnishing of adequate security to the satisfaction of the Reference Court. Some of the applicants from the said group

thereafter again filed a Special Leave Appeal (SLP) No. 5084 of 2020.

3. Based upon the order passed by the Hon'ble Apex Court some more applicants filed applications in this Court. This Court in the said applications passed a common order dated 26.04.2022 and allowed the applications, directing the Office to allow to withdraw remaining amount of 50% by furnishing solvent sureties/securities of the like amount to the satisfaction of the Registrar (Judicial) of this Court. This Court, thus, finds that the present application also needs to be allowed. Hence following order :

ORDER

(a) The Civil Application stands allowed and disposed off.

(b) The applicant is at liberty to withdraw remaining 50% of the amount, along with interest if any, accrued thereon by furnishing a solvent surety/security of the like amount to the satisfaction of the Registrar (Judicial) of this Court.

(KISHORE C. SANT)
JUDGE