

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

910 CIVIL APPLICATION NO.11779 OF 2023  
IN FA/3568/2023 WITH FA/3566/2023 WITH FA/3569/2023 WITH  
FA/3567/2023

BABU NAMDEO BHILLARE (DIED) THR LRS RUKMIN AND ORS  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, OSMANABAD AND  
ORS

...  
Advocate for Applicants : Mr. Madhav Jadhav h/f. Mr. A.S. More  
AGP for Respondents 1 & 2 : Mrs. R.P. Gaur  
Advocate for Respondent 3 : Mr. Kishor Taur h/f. Mrs. Sunita Shelke  
...

**CORAM : ARUN R. PEDNEKER, J.**  
**DATED : 10/11/2023**

**PER COURT :**

1. Heard the learned counsel for the parties.
2. Civil application No. 11779/2023 is filed by the original claimants for withdrawal of amount deposited in this Court. The learned counsel for the claimants has produced the order dated 26.9.2023 passed in Civil Application No. 6363/2023 in First Appeal No. 3474/2022 with connected matters, wherein this Court has permitted the applicants therein to withdraw 50% of compensation along with the interest accrued thereon till date. The learned counsel submits that in the instant case also, 50% of the compensation amount has been deposited by the Acquiring Body.
3. In view of the the order dated 26.9.2023 passed in connected First Appeal No. 3474/2022, the applicants/claimants herein are permitted to withdraw entire 50% of the compensation amount deposited in this Court along with the accrued interest thereon till date on usual undertaking to the satisfaction of the Registrar Judicial of this Court. Civil Application for withdrawal of amount is disposed of.

4. Since the Acquiring Body has deposited the amount as directed by this Court, ad-interim stay granted earlier is confirmed. Stay application is disposed of.

5. First Appeal No. 3568/2023 is **admitted**.

6. On admission, learned counsel Mr. Madhav Jadhav waives service of notice for original claimants and the learned AGP waives service of notice for respondent Nos. 3 and 4.

7. Call R. & P.

[ARUN R. PEDNEKER J.]

ssc/