

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

**CIVIL APPLICATION NO. 12527 OF 2023
IN FA/1906/2019**

Gurunath Ram Lade and others .. Applicants

Versus

The State of Maharashtra and others .. Respondents

Mr. Gajanan K. Sontakke, Advocate for the Applicants.

Mr. S. P. Tiwari, Advocate for Respondent Nos. 1 and 2.

Mr. A. M. Gaikwad, Advocate for Respondent No. 3.

CORAM : KISHORE C. SANT, J.

DATED : 20th OCTOBER, 2023.

P. C. :-

. Heard the parties.

2. The applicant was allowed to withdraw 50% of the amount deposited in this Court. Same is already withdrawn. Remaining 50% amount is also withdrawn after the order passed by the Hon'ble Apex Court and pursuant to that order similar order passed by this Court also. However, in the order passed by this Court and also passed by the Hon'ble Apex Court there is no reference to interest part approved on the deposited amount. This application is therefore preferred seeking withdrawal of the interest amount that was accrued on the deposits till the date of withdrawal of the deposited amount.

3. Learned advocate Mr. Gaikwad for respondent No. 3 opposes the application stating that, now practically entire amount is withdrawn. In case, the appellant in appeal succeeds it would be difficult to recover the amount.

4. Considering the fact that, this Court as well as the Hon'ble Apex Court have already permitted to withdraw 100% of the amount, this Court finds that, the interest part also be allowed to be withdrawn by the applicants.

5. In view of the same, the applicants are permitted to withdraw even interest part that is accrued on the deposited amount till the date of withdrawal of the deposited amount.

6. With this, the civil application stands disposed off.

(KISHORE C. SANT, J.)

PS.B.