



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

**CIVIL APPLICATION NO. 13046 OF 2023
IN FA/1035/2015**

**SHAIKH RAUF SHAIKH ABDUL MAJID @ ABDUL RAUF ABDUL
MAJEED QURESHI**

VERSUS

**THE STATE OF MAHARASHTRA THROUGH COLLECTOR,
AURANGABAD AND OTHERS**

...

Mr. Arun H. Koralkar, Advocate for Applicant
Mr. D.B. Bhange, AGP for Respondent – State
Ms. Kalpalata B. Bharaswadkar, Advocate for Respondent No.3

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 15th DECEMBER, 2023

PER COURT :

1. This is application is filed by applicant/claimant seeking withdrawal of remaining 25% decretal amount deposited by respondent No.3.
2. It is contention of applicant/claimant that acquiring body has not challenged award passed in the cases of similarly situated claimants.
3. Learned advocate for respondent No.3 acquiring body strenuously opposed the application contending that in those cases proposal for challenging the award was forwarded belatedly i.e. after delay of three and half years.

4. Be that as it may. Fact remains that acquiring body has not challenged award passed in the matters of similarly situated claimants. In that view of the matter, civil application is allowed in terms of prayer clause 'B'. Applicant/claimant is permitted to withdraw remaining 25% amount deposited by respondent No.3 acquiring body, on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

(NITIN B. SURYAWANSHI, J.)