

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

**4 CIVIL APPLICATION NO.14327 OF 2023
IN FA/239/2019**

**PANDITRAO ANNASAHEB CHAVAL
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, MIW JALNA AND
ORS**

...
Advocate for Applicants : Mr.More Kumar Gaurav M.
AGP for Respondents/State : Mr.S.K.Shirse
Advocate for Respondent No. 3 : Mr.S.B. Mene
...

CORAM : KISHORE C. SANT, J.

DATE : 08.12.2023.

PER COURT :

1. This application is filed by the applicant/Original Claimant in First Appeal for withdrawal of the amount along with interest accrued thereon deposited in this Court, in view of settlement before the National Lok Adalat dated 12.11.2022.

2. First Appeal filed by the Original Claimant came to be disposed off in above National Lok Adalat, however, no order was passed as regards the amount deposited after the settlement between the parties. While recording the settlement

no any order was passed about withdrawal of the amount and same was also not incorporated in the settlement which was annexed as annexure 'X'.

3. After disposal of First Appeal in National Lok Adalat, in view of the compromise the Acquiring Body has deposited an amount of Rs. 7,94,624/- (Rs. Seven Lakhs Ninety Four Thousand Six Hundred and Twenty Four) in this Court on 13.10.2023. Since there were no terms about withdrawal of the said amount in compromise, this application is filed for withdrawal of the amount.

4. Heard the parties. Since the matter is already settled and the amount is deposited, in view of the settlement, the Original Claimant is entitled to withdraw the amount from Office of this Court. There is no dispute about the factual position recorded above. Hence following order :

ORDER

a) The applicant/Original Claimant is entitled to withdraw the amount deposited in this Court along with accrued interest if any, on the said amount.

- b) Office to allow the applicant/Original Claimant to withdraw the said amount.
- c) Civil Application is allowed and disposed off.

**(KISHORE C. SANT)
JUDGE**

mahajansb/