

Chaitali Ekke

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

INTERIM APPLICATION NO. 1214 OF 2022

IN

FIRST APPEAL NO. 1316 OF 2014

Mahadev Janardhan Mahajan (since deceased) Thr. LRS. And Ors.	Applicants / ...Org. Respondents
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In the matter between

The State of Maharashtra Thr. Special Land Acquisition Officer, Raigad	...Appellant
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Versus

Mahadev Janardhan Mahajan (since deceased) Thr. LRS. And Ors.	...Respondents
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Mr. Mandar Limaye, Advocate for Applicants.

Mr. A.R. Patil, AGP for Appellant.

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**CORAM : K. R. SHRIRAM &
RAJESH S. PATIL, JJ.**

DATED : 3rd March 2023

P.C.:

1 This Application is to permit Applicants to withdraw the accrued interest with respect to 30% amount, which Applicant was permitted to withdraw *vide* order dated 06.03.2020. Mr. Limaye states that pursuant to the order of 06.03.2020 the Trial Court has permitted withdrawal of 30% of the amount deposited by the State, but has not granted withdrawal of the accrued interest since the order dated 06.03.2020 is silent in that regard. Having considered the facts and circumstances of the case, in our view, when the court granted

withdrawal of 30% of the amount deposited, the court perhaps missed to include the words “together with accumulated interest on the said 30%”. Ordered accordingly.

2 Trial Court to permit withdrawal of the interest component on the said 30% against furnishing undertaking / indemnity to the satisfaction of the said court.

3 Application disposed.

(RAJESH S. PATIL, J.)

(K. R. SHRIRAM, J.)