



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

33 CIVIL APPLICATION NO. 1638 OF 2024
IN FA/616/2024

Bhaskar Kashiba Kadam

VERSUS

The State Of Maharashtra Through The Collector, Osmanabad And Ors

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Advocate for Applicant : Mr. Kale Ajeet B.

AGP for Respondents 1 & 2 : Mr. S.K. Shirse

Advocate for Respondent 3 : Mr. Mr. S.D. Shelke

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CORAM : KISHORE C. SANT, J.

Dated : June 28, 2024

PER COURT :-

1. Heard the learned advocates for the parties.
2. The learned advocate for the applicants has placed on record copy of the order passed by this Court in CA No. 4418/2024 dated 26.4.2024, whereby the applicant therein is permitted to withdraw the amount of compensation deposited in this Court to the extent of 75% on furnishing an undertaking to the satisfaction of the Registrar Judicial of this Court. The learned advocate for the respondent does not dispute this position that earlier order is passed in the matter arising out of the same acquisition proceeding.
3. Considering this, this Court is inclined to allow the application. Hence, the following order.

ORDER

- (i) The applicant is permitted to withdraw 75% of the amount deposited by the Acquiring Body in this Court on furnishing an undertaking that in case the appeal is allowed, the applicant shall redeposit the amount within twelve weeks thereafter. With this the application stands disposed of.

(KISHORE C. SANT, J.)