

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

926 CIVIL APPLICATION NO. 1147 OF 2024
IN FAST/14964/2021

Kishor Khanderao Patil and Anr

..Applicants

Versus

The Collector, Jalgaon and Ors

..Respondents

.....

Advocate for Applicants : Shri. Pravin B. Rakhunde

AGP for the Respondent / State : Smt. V. S. Chaudhari

Advocate for Respondent No.3 : Shri. A. D. Pawar

...

**CORAM : R. G. AVACHAT AND
NEERAJ P. DHOTE, JJ.**

Dated : February 6, 2024

PER COURT :-

. Heard learned Advocate for the Applicants, learned Advocate for the Acquiring Body and learned AGP for the State.

2. This is the Application for withdrawal of the amount deposited by the Acquiring Body in this Appeal. It is not disputed that the Acquiring Body has deposited 80% of the amount awarded by the Reference Court. 80% amount comes to Rs.61 Lakh and odd.

3. After hearing both the sides, we permit the Applicants to withdraw Rs.45,00,000/- (Rs. Forty Five Lakh) out of the aforesaid deposited amount on the following conditions:

(i) The Applicants / Claimants to withdraw 50% amount subject to

furnishing security and remaining 50% on executing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

(ii) The Applicants / Claimants shall file undertaking / affidavit stating that they have no other legal representatives or legal heirs. The said undertaking / affidavit shall be filed before the Registrar (Judicial) of this Court, which would be condition precedent for withdrawal of the amount.

4. The Application stands disposed of accordingly.

(NEERAJ P. DHOTE, J.)

(R. G. AVACHAT, J.)

GGP