



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

22 CIVIL APPLICATION NO. 6099 OF 2024
IN FA/1268/2021

YASHWANT GOVIND DALAL
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR,
OSMANABAD AND ANR

...
Advocate for Applicant : Mr. Ingale Vivekanand V.
AGP for Respondents/State : Mr. A.M.Puhle
...

CORAM : KISHORE C. SANT, J.

DATE : 03rd JULY, 2024.

PER COURT :

1. Heard the learned Advocate for the applicant and the learned AGP for Respondents/State.
2. This application is for withdrawal of the amount. The 50% amount is already permitted to be withdrawn on usual undertaking by this Court vide order dated 30.07.2021.
3. Learned Advocate for the applicant submits that thereafter, this Court in some other matters arising out of the

same acquisition proceedings allowed the applicant therein to withdraw 75% of the amount on certain conditions.

4. He thus, prays that the present applicant also be allowed to withdraw 25% of the total amount deposited in this Court.

5. The application is vehemently opposed by the learned AGP by submitting that already 50% of the amount is allowed to be withdrawn. If the amount now is allowed to be withdrawn it would be difficult for the State to recover the amount. There are chances of success in the appeal.

6. Considering that in similar matters this Court has allowed to withdraw 75% of the total amount deposited, this Court has also inclined to allow the present application and pass following order :

ORDER

- a) The application stands allowed and disposed off.
- b) The Applicant/Claimant is allowed to

withdraw 25% of the amount deposited in this Court on furnishing solvent security/surety to the satisfaction to the Registrar, (Judicial) of this Court.

(KISHORE C. SANT)
JUDGE

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