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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2558 OF 2024
IN
FIRST APPEAL NO.2940 OF 2018

Chandraro Hambirrao Tanpure (Died)
LR Krushnabai Chandrarao Tanpure

APPLICANT

VERSUS

The State of Maharashtra and Another

RESPONDENTS

.....
Mr. Shubham Jaybhar h/f Mr. D. R. Jaybhar, Advocate for applicant
Mrs. Uma Bhosale, AGP for respondent - State
Mr. G. B. Rajale, Advocate for respondent No.2.
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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 12th JULY, 2024

ORDER :

1. Heard.
2. Applicant was earlier permitted to withdraw 50% of the amount of compensation, coming to her share, which was transferred to the Court of Civil Judge, Senior Division, Shrigonda, District – Ahmednagar.
3. By this application, applicant seeks permission to withdraw remaining 50% amount of compensation. Learned advocate for applicant submits that by earlier order dated 18th August, 2022, applicant was permitted to withdraw 50% compensation amount

and only 50% amount coming to her share was transferred to the Court of learned Civil Judge, Senior Division, Shrigonda, District - Ahmednagar.

4. Learned advocate for respondent No.2 - acquiring body, strenuously opposed the application.

5. Considering the fact that applicant is 84 years old and acquisition is of the year 1989, it would be just and proper to permit the applicant to withdraw further 25% of the amount of compensation coming to her share, on furnishing undertaking. Said amount, if not already transferred, be transferred to the Court of learned Civil Judge, Senior Division, Shrigonda, District - Ahmednagar and be paid to the applicant on furnishing undertaking to the satisfaction of the learned Civil Judge, Senior Division, Shrigonda.

6. Remaining 25% amount shall be invested in fixed deposited to be renewed from time to time, until further orders.

7. Civil Application is disposed of.

**[NITIN B. SURYAWANSHI]
JUDGE**