



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

9 CIVIL APPLICATION NO. 6896 OF 2024
IN FA/3691/2023
WITH
CIVIL APPLICATION NO. 6898 OF 2024
IN FA/3691/2023

ANIL KESHAV RAO DESHPANDE
VERSUS
THE EXECUTIVE ENGINEER IRRIGATION GAVSUD, MINOR IRRIGATION TANK
OSMANABAD

Advocate for Applicant : Mr. S.S. Kulkarni h/f. Mrs. Kulkarni Aparna S.
Advocate for Respondent 1 : Mrs. S.D. Shelke

CORAM : KISHORE C. SANT, J.

Dated : July 16, 2024

PER COURT :-

1. Heard the parties.
2. Civil Application No. 6898/2024 is by the original claimant for withdrawal of amount deposited by respondent/Acquiring Body in this Court. The application is vehemently opposed by the learned advocate for the respondent.
3. However, considering that in similar matters, this Court has passed the order permitting the applicants/original claimants therein to withdraw the amount to the extent of 75% of the amount deposited in this Court, with the same conditions the following order :-

ORDER

(i) The applicant is permitted to withdraw 50% of the amount deposited by the Acquiring Body/appellant in this Court along with accrued interest on usual undertaking. Further 25% of the amount deposited in this Court is permitted to be withdrawn by the applicant on furnishing surety/security to

the satisfaction of the learned Registrar Judicial of this Court. Remaining amount be invested in fixed deposit in any nationalized bank till the disposal of the appeal. With this, the application is allowed and disposed of.

(ii) The learned counsel submits that in view of filing of the subsequent application with the same prayer, Civil Application No. 6896/2024 needs to be disposed of as infructuous. The application therefore is disposed of as infructuous.

(KISHORE C. SANT, J.)

ssc/