



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

38 CIVIL APPLICATION NO. 3051 OF 2024
IN FA/3095/2023

Dattatraya Agatrao Ghate And Anr

VERSUS

The State Of Maharashtra through The Collector Osmanabad And Ors

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Advocate for Applicant : Mr. Patil Laxmikant C.

AGP for Respondent/State : Mr. V.M. Chate

Advocate for Respondent 3 : Mrs. Chaitali R. Kutti-Chaudhari

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CORAM : KISHORE C. SANT, J.

Dated : June 28, 2024

PER COURT :-

1. Heard the learned advocates for the parties.
2. This application is for withdrawal of amount by the claimants. The amount is already deposited by the Acquiring Body in the appeal along with interest.
3. The learned advocate for the claimants has produced on record, the copy of the order dated 1.3.2024 passed in Civil Application No. 982/2024 and other connected matters, wherein this Court has allowed the applicants therein to withdraw 75% of the amount, subject to certain conditions. It is submitted that the said order is passed in the matter arising out of the same acquisition proceedings. The learned advocate for the appellant does not dispute this position. In view of the same, following order:-

ORDER

- (i) The application is partly allowed. The applicants are allowed to withdraw 50% of the amount deposited in this Court along with accrued interest on furnishing usual undertaking. Further 25% of the amount

deposited in this Court along with accrued interest be allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the Registrar Judicial of this Court. Balance amount be kept in fixed deposit in any nationalized bank, to be renewed from time to time till the disposal of the appeal. Civil Application is disposed of.

(KISHORE C. SANT, J.)

ssc/