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19-CA-13337-2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

19 CIVIL APPLICATION NO. 13337 OF 2024
IN FA/3913/2022

Bhagwan Sonaji Karpe (died) Thr Lrs Ratnamala And Ors

VERSUS

The Ex. Engineer, Beed Irrigation Div. Beed And Ors

WITH

CIVIL APPLICATION NO. 1735 OF 2022

IN FA/3913/2022

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Mr. Abhijeet V. Thombre, Advocate for Applicant.

Mr. Ruturaj C. Patil Advocate for Respondent No.1.

Mr. K. S. Patil, AGP for Respondent-State.

CORAM : KISHORE C. SANT, J.

DATE : 16th DECEMBER 2024

PC :-

1. Heard the learned Counsel for the parties.
2. This application is for withdrawal of the amount deposited by the Acquiring Body in this Court. The learned Advocate Mr.Patil appearing for respondent No.1 submits that the appeals are preferred only on the ground that the statutory benefits are not properly awarded. The dates are wrongly taken for awarding interest under Section 23(1) of the Land

Acquisition Act.

3. Considering the above, sufficient care can be taken by allowing the applicant to withdraw only part of the amount. Hence, the following order:-

ORDER

- (i) Application is allowed.
- (ii) The applicants are permitted to withdraw 80% of the amount deposited in the office of this Court alongwith accrued interest on furnishing usual undertaking.
- (iii) The remaining amount be kept in fixed deposit in any nationalized bank pending the appeal.
- (iv) Application stands disposed off.

CIVIL APPLICATION FOR STAY

- 1. Since the amount is deposited in the office of this Court, there shall be stay to the impugned judgment and award till final disposal of the appeal.
- 2. Application stands disposed off.

FIRST APPEAL

. First appeal be taken up for final disposal since the record and proceedings is received, on 27th January 2025.

[KISHORE C. SANT, J.]