



IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD

10 CIVIL APPLICATION NO. 5713 OF 2024 IN FAST/24091/2023

Dattatraya S/o Sitaram Chate

VERSUS

Union Of India Thr The General Manager, Central Railway And Ors

...

Advocate for Applicant : Mr. N.P. Bangar

AGP for Respondent 1 : Mr. A.G. Talhar

...

CORAM : KISHORE C. SANT, J.

Dated : June 28, 2024

PER COURT :-

1. Heard. This application is filed, seeking withdrawal of amount deposited by the appellant in this Court along with interest pursuant to the impugned judgment and award passed by the learned Reference Court under section 18 of the Land Acquisition Act. The applicants are original claimants whose land came to be acquired by the respondent.

2. Considering that applicants/original claimants have lost valuable land and the amount is deposited towards compensation in this Court, this Court is inclined to allow the application with certain condition. Hence, the order.

ORDER

(i) The applicants are allowed to withdraw 50% of the deposited amount along with accrued interest by the Acquiring Body in this Court on furnishing an undertaking that in case, the appeal is allowed, they shall redeposit the amount with interest in this Court within twelve weeks thereafter. Further 25% of the amount shall be allowed to be withdrawn to the applicants on furnishing solvent surety/security to the satisfaction of the Registrar Judicial of this Court. Remaining amount be invested in fixed deposit in any nationalized bank and be kept till disposal of the appeal. The application thus stands allowed and disposed of.

(KISHORE C. SANT, J.)

ssc/