



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

**18 CIVIL APPLICATION NO. 9776 OF 2024
IN FA/2357/2022**

CHUDAMAN LOTAN PATIL DEAD
THROUGH HIS LEGAL HEIRS AND ORS
VERSUS

THE EXECUTIVE ENGINEER HATNOOR PROJECT CHOPADA AND ORS

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Advocate for Applicant : Mr. Vijay Bhalerao Patil.

Advocate for Respondent No.1 : Mr. Vivek V. Tarde.

AGP for Respondent Nos.2 & 3 : Ms. R. R. Tandale.

...

AND

CIVIL APPLICATION NO. 11793 OF 2022
IN FA/2357/2022

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CORAM : **KISHORE C. SANT, J.**

DATE : 03rd December, 2024.

P.C.:

Application for withdrawal of amount:

. Heard the learned counsel for the parties.

2 This application is for withdrawal of the amount. Earlier the application was filed and was allowed. It is pointed out that though the amount awarded is Rs.4,41,00,000/-, the acquiring body had deposited only Rs.1,43,00,000/-. In that view, that amount was allowed to be withdrawn. Even now, though the acquiring body claim that the acquiring body has deposited 75% of the amount, as per the calculations of the applicants the amount deposited is only 68.38% of

the total amount. In second installment, the amount deposited is Rs.1,58,00,000/-.

3 Considering the above, for the present, the application is allowed by permitting the applicants to withdraw only an amount of Rs.1,00,00,000/- (Rupees One Crore Only) on furnishing usual undertaking. The remaining amount of Rs.58,00,000/- alongwith interest be kept in fixed deposit in any nationalized bank till disposal of the appeal.

4 The amount to the extent of applicant No.10, who is still minor, is allowed to be withdrawn by applicant No.7, who is mother of applicant No.10. Affidavit also be accepted on his behalf from applicant No.7.

5 With this, the civil application stands disposed of.

[KISHORE C. SANT, J.]

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