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CA 8260, 61 and 62 of 24 sr. 64.odt

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 8260 OF 2024
IN
FIRST APPEAL NO. 1773 OF 2023**

**VISHWANATH NAMDEO JAGTAP
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS.**

...

and

**CIVIL APPLICATION NO. 8261 OF 2024
IN
FIRST APPEAL NO. 1771 OF 2023**

**DATTATRAY NAMDEO JAGTAP
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS.**

...

AND

**CIVIL APPLICATION NO. 8262 OF 2024
IN
FIRST APPEAL NO. 1772 OF 2023**

**DIGAMBAR NAMDEO JAGTAP
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS.**

...

Mr. Madhav K. Jadhav h/f. Abhijit A. More, Advocate for applicants.

Mr. S.B. Jadhav, AGP for respondent No.1.

Mr. R.R. Kate, Advocate h/f. Ms. Sunita Shelke.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 12 AUGUST, 2024.

ORDER :-

1. These applications are for withdrawal of the amount

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deposited by the appellant/Acquiring Body, in this Court pursuant to the order dated 30.03.2023 passed by this Court on application for stay bearing Civil Application No. 4091 of 2023. This Court by the said order had granted interim relief subject to deposit of 50% of the amount of compensation as per the impugned judgment and award alongwith interest in the office of this Court.

2. Learned Advocate also produced on record the order dated 18.10.2022 passed by this Court in Civil Application No. 14749 of 2022, whereby, the applicants therein are permitted to withdraw entire amount deposited in this Court as per the award. In view of the same, this Court is inclined to pass the following order.

O R D E R

[a] The Civil Application stands allowed and disposed off.

[b] The applicants are permitted to withdraw entire amount deposited in this Court alongwith accrued interest on furnishing usual undertaking.

[S.G. CHAPALGAONKAR]
JUDGE

grt/-