



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

**CIVIL APPLICATION NO. 8989 OF 2024
IN FA/499/2023**

NILKANTH S/O VITHALRAO KADAM DIED THR LRS UTTAMBAI AND ORS
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR, OSMANABAD AND
ORS

Mr.Lakshmi Thakur h/f. Mr. L.C. Patil, Advocate for the applicants.
Mr.K.S. Hoke Patil, AGP for the respondent-State.
Mr. A.S.Shelke, Advocate for respondent No.2
Mr.Vrishab Patil h/f. Ms.S.D. Shelke, Advocate for R-3.

CORAM : KISHORE C. SANT, J.
DATE : 05.09.2024

PC :-

01. This application is filed for withdrawal of the amount. The amount is deposited by the appellant-State in this Court. The learned Advocate for the applicant relies on the order passed by this Court dated 15.07.2022 in Civil Application No. 10243 of 2022, wherein this Court had allowed to withdraw 75% amount by giving usual undertaking. It is submitted that the said Civil Application also arises from the same acquisition proceeding, out of which present application is filed. Considering that the following order :-

(i) The applicants are permitted to withdraw 75% of the amount along with accrued interest on furnishing usual undertaking.

(2)

[ca8989.24]

(ii) Remaining amount of 25% shall be invested in the fixed deposit of any nationalized bank to be renewed periodically till disposal of the appeal.

[KISHORE C. SANT, J.]