

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 10003 OF 2023
IN FAST/10591/2022

Babasaheb Kisanrao Khawale

VERSUS

The Exe. Engineer, Minor Irrigation Div., Osmanabad And Ors

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Advocate for Applicant : Mr. Omprakash V. Waghmare h/f Mr. G.J.
Kore

AGP for Respondent/State : Mrs. M.L. Sangit

Advocate for Respondent No.1 through V.C. : Mr. M.C. Swami

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CORAM : S.G. MEHARE, J.

DATED : JANUARY 12, 2024

PER COURT:-

1. Heard the respective counsels.
2. It is an application for withdrawal of amount. In similarly situated case, this Court by order dated 11.08.2023 allowed the another claimant to withdraw the amount. Hence, the following order :

ORDER

- I) The application is partly allowed.
- II) The applicant is permitted to withdraw total 50% of the compensation amount deposited by the Acquiring Body subject to furnishing of usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

(2)

III) The applicant is further permitted to withdraw additional 25% amount out of deposited compensation amount by the Acquiring Body on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

IV) Remaining balance be deposited in fixed deposit.

(S.G. MEHARE, J.)