



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

**932 CIVIL APPLICATION NO. 9092 OF 2024
IN FA/791/2023**

SAYAJIRAO PRATAPRAO DESHMUKH
VERSUS
THE STATE OF MAHARASHTRA
THR THE COLLECTOR, OSMANABAD AND ORS

...
Advocate for Applicant : Mr. Ganesh Vilasrao Patil.
AGP for Respondent/State : Mr. S. K. Shirse.
Advocate for appellant : Mr. M. S. Kulkarni.

...

AND
**CIVIL APPLICATION NO. 1318 OF 2023
IN FA/791/2023**

...

CORAM : **KISHORE C. SANT, J.**
DATE : 11th October, 2024.

P.C.:

. Heard the learned counsel for the parties.

2 CIVIL APPLICATION NO. 9092 OF 2024 is for withdrawal of amount deposited by the appellant in this Court towards acquisition of land. The appellant/ acquiring body has deposited only 70% of the amount of the award. The learned counsel for applicant submit that this Court in other connected matters has allowed the applicants therein to withdraw 75% of the amount of total compensation. This is not disputed. However, objection is raised stating that even 70% of the amount is Rs.70,33,876/-.

3 Considering the above, the following order is passed.

ORDER

I. The application is partly allowed.

II. The applicant is permitted to withdraw 50% of the deposited amount alongwith accrued interest on furnishing usual undertaking. The remaining 50% of the amount is allowed to be withdrawn alongwith accrued interest on furnishing security/surety to the satisfaction of the learned Registrar (Judicial) of this Court.

4 CIVIL APPLICATION NO. 1318 OF 2023, since the applicant has already deposited 70% of the amount, there shall be stay to the impugned order, subject to depositing the remaining amount in this Court within twelve weeks from today. After said amount is deposited, the said amount be kept in fixed deposit in any nationalized bank till disposal of the appeal.

In Appeal:

5 Heard.

6 **Admit.**

7 Issue notice to the respondents on admission. Mr. Ganesh Patil,

learned waives notice on behalf of the respondent.

8 Record and proceedings be called for.

[KISHORE C. SANT, J.]

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