



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

**71 CIVIL APPLICATION NO. 9978 OF 2024
IN FAST/22499/2021**

SHANKAR VITHOBA HIPPARGE (DIED) HIS LRS SHANTABAI AND ORS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR, OSMANABAD,
AND ORS

Mr.L.C. Patil, Advocate for the applicants.

Mr.P.D. Patil, AGP for the respondent-State.

Mr. Madhav N. Kalyane h/f. Mr.G.B. Rajale, Advocate for the respondent-Acquiring body.

CORAM : KISHORE C. SANT, J.
DATE : 19.09.2024

PC :-

01. Heard parties. Considering order dated 30.08.2022 passed in Civil Application No. 12404 of 2022 in First Appeal No. 3581 of 2018, following order is passed :-

(i) The application is partly allowed.

(ii) The applicants are permitted to withdraw 50% of the amount deposited along with accrued interest by furnishing usual undertaking.

(iii) Further 25% of the amount is allowed to be withdrawn along with accrued interest on furnishing solvent surety/security to the satisfaction of learned Registrar (Judicial) of this Court.

(2)

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

(v) The civil application is accordingly allowed and is disposed off.

[KISHORE C. SANT, J.]