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22-CA-12426-2024

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

**22 CIVIL APPLICATION NO. 12426 OF 2024
IN FAST/24328/2022**

Rahul Shankar Ritapure And Anr
VERSUS
The State Of Maharashtra Through Collector Osmanabad Dist Osmanabad
And Ors
WITH
CIVIL APPLICATION NO. 3922 OF 2023
IN FAST/24328/2022

Ex. Engineer, Minor Irr. Div. Osmanabad Under Gmidc, Aurangabad And
Ors
VERSUS
Rahul Shankar Ritapure And Anr
WITH
CIVIL APPLICATION NO. 3923 OF 2023
IN FAST/24328/2022

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Mr. A. S. More for the Applicants.
Mr. B. R. Survase, Advocate for Respondent No.3.
Mr. N. D. Raje, AGP for Respondent-State.

CORAM : KISHORE C. SANT, J.
DATE : 26th NOVEMBER 2024

PC :-

CIVIL APPLICATION FOR WITHDRAWAL

1. Heard the learned Advocate for the parties.
2. The learned Advocate for the Applicants relies on the order dated 21st June 2023 passed by this Court in Civil Application No.6877 of 2023 in First Appeal (ST) No. 6573 of 2020.

3. Learned Advocate for the Applicants makes a statement that this order is passed in the proceedings arising out of the same acquisition proceedings.

4. In view of the same, following order:

ORDER

(i) Application stands allowed.

(ii) The applicants are permitted to withdraw 50% of the amount deposited in this Court alongwith accrued interest on furnishing usual undertaking.

(iii) Further 25% of the amount deposited alongwith accrued interest is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the Registrar, (Judicial) of this Court.

(iv) Remaining amount, be deposited in Fixed Deposit, in any nationalized bank, to be renewed from time to time till disposal of the appeal.

(v) With this, Civil Application stands disposed off.

CIVIL APPLICATION FOR DELAY

1. Heard.

2. For the reasons stated in the application, the delay stands condoned. Application is allowed.

3. Office to register the first appeal.

4. Application stands disposed off.

FIRST APPEAL

1. Heard.
2. Admit.
3. Call for record and proceedings.

CIVIL APPLICATION FOR STAY

1. Since the entire amount is deposited in the office of this Court, there shall be stay to the impugned judgment and order till disposal of the appeal.
2. The application stands disposed off.

[KISHORE C. SANT, J.]