



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

**26 CIVIL APPLICATION NO. 10320 OF 2024
IN FAST/5744/2024**

DNYANOBA S/O JAGANNATH MAKODE
VERSUS
THE EXECUTIVE ENGINEER MINOR IRRIGATION DEPARTMENT

...
Advocate for Applicant : Mr. Durgesh Madhukar Pingale.
Advocate for Respondent No.1 : Mr. S. S. Dande.
AGP for Respondent/State : Mr. K. S. Patil.
...

AND
CIVIL APPLICATION NO. 2769 OF 2024
IN FAST/5744/2024

AND
CIVIL APPLICATION NO. 2770 OF 2024
IN FAST/5744/2024
...

CORAM : **KISHORE C. SANT, J.**

DATE : 27th November, 2024.

P.C.:

. Heard the learned counsel for the parties.

Application for condonation of delay:

2 For the reasons stated in the application, the delay stands condoned. The application stands allowed. Appeal be registered.

Application for stay:

3 Since the amount is already deposited, there shall be stay to the impugned judgment and order till the disposal of the appeal. The

application stands disposed of.

Appeal:

4 Heard.

5 **Admit.**

6 The record and proceedings be called for.

Application for withdrawal of amount:

7 This application is for withdrawal of the amount deposited by the appellant in the office of this Court.

8 The learned counsel for the applicant relies upon the order dated 19th September, 2024 passed by this Court in Civil Application No.10075 of 2024. There is no dispute that the said order is passed in the civil applications arising out of the same acquisition proceedings.

9 In view of the same, the following order is passed:-

ORDER

- I. The applicants are permitted to withdraw 50% of the amount alongwith accrued interest deposited in this Court on furnishing usual undertaking. Further 25% of the amount with accrued interest is allowed to be withdrawn on furnishing solvent surety/security to the

satisfaction of the learned Registrar (Judicial) of this Court. The remaining amount be kept in fixed deposit in any nationalized bank till disposal of the appeal.

- II. With this, the civil application for withdrawal of amount stands disposed of.

[KISHORE C. SANT, J.]

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