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7-CA-13032-2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

7 CIVIL APPLICATION NO. 13032 OF 2024
IN FA/1945/2023

Limbaji Bhagwan Jankar

VERSUS

The State Of Maharashtra And Anr

WITH

CIVIL APPLICATION NO. 1387 OF 2023
IN FA/1945/2023

...

Adv G. K. Sontakke, Advocate for Applicant.

Mr. B. R. Survase, for Respondent No.1.

Smt. R. R. Tandale, AGP for Respondent-State.

CORAM : KISHORE C. SANT, J.

DATE : 12th DECEMBER 2024

PC :-

1. Heard the learned Counsel for the parties.
2. This application is filed for withdrawal of the amount of compensation deposited by the appellant-acquiring body in this Court. The application is opposed by the learned Advocate Mr. Survase for respondent No.1.
3. Considering that the acquisition is of 1991, still the applicant deprived the amount of compensation. Hence, the following order.

ORDER

- (i) The applicant is permitted to withdraw 50% of the amount deposited in this Court alongwith accrued interest on furnishing usual undertaking.
- (ii) Further 25% of the amount deposited alongwith accrued interest is permitted to be withdrawn on furnishing solvent surety/security to the satisfaction of the Registrar, (Judicial) of this Court.
- (iii) Remaining 25% of the amount alongwith interest, is permitted be deposited in Fixed Deposits, in any nationalized bank till disposal of the appeal.
- (iv) With this, application stands disposed off.

CIVIL APPLICATION FOR STAY

1. Since the entire amount is deposited by the acquiring body in this Court, there shall be stay to the impugned judgment and awarded till final disposal of the appeal.
2. Application stands disposed off.

[KISHORE C. SANT, J.]