



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

911 CIVIL APPLICATION NO. 11924 OF 2024
IN FA/2471/2021

GANGUBAI DATTU SURWASE
VERSUS
THE STATE OF MAHARASHTRA, THROUGH COLLECTOR, OSMANABAD
AND ORS

...
Advocate for Applicant : Mr. G. K. Sontakke.
AGP for Respondent/State : Ms. R. R. Tandale.
Advocate for Respondent No.3 : Mr. Avishkar S. Shelke.
...

AND
CIVIL APPLICATION NO. 10838 OF 2021
IN FA/2468/2021

AND
CIVIL APPLICATION NO. 10840 OF 2021
IN FA/2471/2021

AND
CIVIL APPLICATION NO. 10842 OF 2021
IN FA/2472/2021

AND
CIVIL APPLICATION NO. 11925 OF 2024
IN FA/2472/2021
...

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

DATE : 14th November, 2024.

P.C.:

. Heard the learned counsel for the parties.

Applications for stay:

2 Since 75% amount is deposited in this Court, there shall be stay
to the impugned judgment and order till the disposal of the appeals.

Appeals:

3 Heard.

4 **Admit.**

5 Issue notice to respondents. The learned AGP waives notice for respondent Nos.1 and 2 on admission and Mr. Sontakke, learned counsel waives notice on behalf of claimants on admission.

Applications for withdrawal of amount:

6 The learned counsel for the applicant produced on record a copy of order dated 12th April, 2024 passed by this Court in Civil Application No.3625 of 2024, wherein this Court allowed the applications and permitted the applicants therein to withdraw the entire amount deposited in this Court with accrued interest on furnishing undertaking. The total amount deposited is only 75% of the total amount of compensation awarded by the learned Trial Court. The amount is towards acquisition of house property. The rate awarded is only Rs.300/- per square meter. The acquisition is of the year 2006. Considering all above factors, the following order is passed.

ORDER

- I. The applicants are permitted to withdraw entire amount alongwith accrued interest deposited in this Court on

furnishing usual undertaking before the learned Registrar (Judicial) of this Court.

- II. With this, the civil applications for withdrawal of amount stand disposed of.

[KISHORE C. SANT, J.]

nga