



pe

(1)

912-CA-11675-2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

912 CIVIL APPLICATION NO. 11675 OF 2024
IN FA/2630/2024

Laxmibai Manga Bhoi

VERSUS

The Ex. Engineer, Jalgaon Medium Project Div. Jalgaon And Ors

...

Mr. Raghuvirsingh M. Patil, Advocate for Applicant.

Mr. Ajay D. Pawar for Respondent No.1.

CORAM : KISHORE C. SANT, J.

DATE : 19th DECEMBER 2024

PC :-

1. Heard the learned Advocate for the parties.
2. This application is for withdrawal of the amount. The amount is deposited in this Court as per judgment and award. The learned Advocate Mr.Pawar opposes the application stating that this amount is only towards the compensation of the trees. The Court has passed an order based on a report of private valuer in absence of the Government authorities. He further pointed out that already an amount of Rs.14,62,200/- is withdrawn that was deposited in the Reference Court.

3. Learned Advocate for the applicant pointed out that from the report prepared by the Deputy Regional Agricultural Officer, Taluka Agricultural Officer and Circle Agricultural Officer wherein trees are shown.

4. Considering the above, this Court is inclined to allow the application as below.

5. The applicant is entitled to withdraw 50% of the amount deposited in the office of this Court alongwith accrued interest on furnishing usual undertaking.

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

7. With this, application stands disposed off.

FIRST APPEAL

1. Admit.
2. Call record and proceedings.

[KISHORE C. SANT, J.]