



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

**CIVIL APPLICATION NO.1061 OF 2025 IN
FIRST APPEAL (ST.) NO.26008 OF 2023**

Prakash Shamrao Mane ... APPLICANT

VERSUS

The State of Maharashtra & ors. ... RESPONDENTS

.....
Mr. S.N. Patil, Advocate for applicant
Mrs. K.B. Patil Bharaswadkar, A.G.P. for State
.....

**CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ.**

DATE : 24th JANUARY, 2025

ORDER :

This is an application with following prayers :

- “(B) By appropriate order or direction in like nature, the applicant may kindly be permitted to withdraw amount deposited by the non-applicant in First Appeal St.No.26008/2023 with accrued interest.
- (C) By appropriate order or direction in like nature the Ld. Registrar/ office may direct to permit to withdraw the applicant share in his individual/ independent account as the applicant is having independent share.”

2. Heard learned Advocate for the applicant and learned Advocate for the acquiring body. There is no dispute

that, in similar appeals which arise out of same acquisition proceedings, this Court, by order dated 30/8/2024 in Civil Application No.7582/2024 along with other connected Civil Applications, has permitted withdrawal of 50% of the entire amount under the impugned judgment on furnishing regular undertaking to the satisfaction of the Registrar (Judicial) of this Court, and further permitted the applicants therein to withdraw the amount in terms of prayer clause (C) of the applications.

3. In view of the above, we allow the application in terms of prayer clauses (B) and (C), in terms of the earlier order of this Court, dated 30/8/2024 in Civil Application No.7582/2024 along with other connected Civil Applications and permit the applicant to withdraw 50% of the entire amount under the impugned judgment along with interest accrued thereon on furnishing regular undertaking to the satisfaction of the Registrar (Judicial) of this Court.

(NEERAJ P. DHOTE, J.)

(R.G. AVACHAT, J.)

fmp/-