

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3602 OF 2025
IN FA/83/2024

Umesh S/o Gajendra Ghogre

....Applicant

VERSUS

The Executive Engineer And Ors

.....Respondent

.....
Advocate for Applicant : Mr. Vaishali Arun Shinde
Advocate for Respondents : Mr. Gulab B. Rajale For R/1,

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 4th APRIL, 2025.

P.C. :-

1. Learned advocate for the applicant invites attention of this court to the order dated 14.1.2025 passed in C.A. No. 12520 of 2024 in FA No 82 of 2024 alongwith companion matters. It is submitted that order dated 14.1.2025 pertains to same acquisition and similar course can be followed in present case.
2. Mr. Rajale, learned advocate for respondent agrees to the aforesaid proposition.
3. In that view fo the matter following order is passed :-

ORDER

- [I] The application is partly allowed;
- [ii] The applicant/original claimant is permitted to withdraw 75% of the amount deposited by the Acquiring Body with Registry of this Court, subject to furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of

this Court, that in the event any adverse order being passed in appeal, he shall refund/redeposit the amount, within eight weeks from the date of such order.

[iii] The rest of the amount be kept in Fixed Deposit in any Nationalized bank, with renewal clause, till disposal of appeal.

[iv] The Civil Application stands disposed of.

[S.G. CHAPALGAONKAR, J]

grt/-