

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

947 CIVIL APPLICATION NO. 8578 OF 2024
IN FAST/4570/2021

Sagaji Jotiram Kasare

VERSUS

The State Of Maharashtra Through Collector, Osmanabad And Ors

...

Mr. Abhijit S. More - Advocate for Applicant

Mr. D. J. Patil - AGP for Respondent/State

Mr. Pramod A. Pisal – Advocate for Respondent No. 2

...

CORAM : NEERAJ P. DHOTE, J.

DATED : 13TH MARCH 2025

PER COURT : -

1. This is the second application by the claimants, who are the respondents in the Appeal, for withdrawal of the remaining amount of compensation deposited by the Acquiring Body. The ground for withdrawal is mentioned in paragraph no. 3, wherein it is contended that to meet the medical exigencies, the amount is required.

2. The Application is opposed by learned AGP for Respondent Nos. 1 and 3 and Advocate for Respondent no. 2. It is submitted that the 60% amount is already withdrawn.

3. It is not in dispute that in Civil Application No. 9084 of 2023, this Court by order dated 26.07.2023 permitted the Applicant to withdraw 60% of the amount deposited by the Acquiring Body. The

proceedings are under the Land Acquisition Act. In view of this, the Applicant is permitted to withdraw 15% more amount, so as to make total withdrawal to the extent of 75% by considering the earlier withdrawal which was 60%. This 15% amount with interest accrued thereon is permitted to be withdrawn subject to applicant's furnishing security/surety to the satisfaction of the Registrar (Judicial) of this Court.

4. The Civil Application is disposed of.

[NEERAJ P. DHOTE]
JUDGE