



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

54 CIVIL APPLICATION NO. 4546 OF 2025 IN FAST/24930/2023

HANUMANT DIGAMBAR CHAVAN AND ORS

VERSUS

THE EXECUTIVE ENGINEER PATBHANDARE MAJBUTIKARAN DIVISION
OMERGA TQ OMERGA DIST OSMANABAD AND ORS

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Advocate for Applicants : Mr. R. V. Naiknavare

AGP for Respondent/State : Ms. M. L. Sangit

Advocate for Respondent/Acquiring body : Mr. P R. Nangare

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CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 05.05.2025

PER COURT :-

CIVIL APPLICATION NO. 4546 OF 2025 IN FAST/24930/2023

1. This is an application for withdrawal of the amount.
2. The learned counsel for the acquiring body submits that by order dated 19th August 2023, while issuing notices, interim stay was granted subject to deposit of 50% of the compensation amount. The amount is deposited and the claimants are requesting for withdrawal of the said amount. The learned counsel for the applicants submits that in identical matters arising out of the same project, this Court had earlier passed order dated 16th August

2024 in Civil Application No.8644 of 2024 in FAST No.24939 of 2023 and permitted withdrawal of the amount on furnishing usual undertaking. The learned counsel for the appellant does not dispute the position. Having considered the submissions, following order is passed.

ORDER

- i. The Civil Application is allowed.
- ii. The applicants are permitted to withdraw the amount deposited by the acquiring body in this Court along with accrued interest on furnishing undertaking before the Registrar (Judicial), stating that in case, the appeal is allowed, the applicants shall re-deposit the amount with interest in this Court within twelve weeks thereafter.
- iii. The Civil Application is disposed of.

(PRAFULLA S. KHUBALKAR, J.)