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934-CA-4158-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

934 CIVIL APPLICATION NO. 4158 OF 2025
IN FA/148/2025

Bhimrao Appa Kadam Died Through Legal Representative

VERSUS

The State Of Maharashtra

WITH

CIVIL APPLICATION NO. 4156 OF 2025

IN FA/148/2025

WITH

CIVIL APPLICATION NO. 11126 OF 2024

IN FA/148/2025

...

Ms. Laxmi Thakur h/f Mr. Laxmikant C. Patil, Advocate for Applicant.

Smt. R. R. Tandale, AGP for Respondent-State.

Mr. Mukul Kulkarni, Advocate for Respondent No.3.

CORAM : KISHORE C. SANT, J.

DATE : 10th OCTOBER 2025.

PC :-

CA/4158/2025

1. Heard the learned Advocates for the parties.
2. Learned Advocate for the applicant informs the application is inadvertently filed. Already one application with the same prayer is filed. She seeks leave to withdraw the application.

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3. Leave granted.
4. Application stands disposed of as withdrawn.

CA/4156/2025

5. This application is filed by the original claimant, respondent in the first appeal, seeking withdrawal of the amount deposited in the office of this Court.
6. The learned Advocate for the applicant relies upon the order dated 6th October 2025 passed by this Court in Civil Application No.10467/2025 in First Appeal/168/2025.
7. Considering above, following order:

ORDER

- (i) Civil Application stands allowed.
- (ii) The applicants are permitted to withdraw 75% of the amount deposited in the office of this Court alongwith accrued interest on furnishing usual undertaking.
- (iii) 25% of the amount be kept in fixed deposit in any nationalized bank till final disposal of the first appeal.

(iv) The undertaking be kept in the first appeal.

(v) With this, civil application stands disposed off.

STAY APPLICATION

8. This application is filed for stay to the impugned judgment and award. The acquiring body has already deposited the amount alongwith interest in the office of this Court.

9. Since the amount has already deposited in the office of this Court, there shall be stay to the impugned judgment and award till final disposal of the first appeal.

10. With this, civil application for stay stands disposed off.

FIRST APPEAL

11. Heard.

12. Admit.

13. Call for record and proceeding.

14. Ms. Thakur waives service of notice for Respondent-claimant.

[KISHORE C. SANT, J.]