



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

**CIVIL APPLICATION NO. 3598 OF 2025
IN FA/3091/2024**

**SHANKAR VITHOBA HIPPARGE DIED THROUGH LRS
SHANTABAI AND ORS**

**VERSUS
THE STATE OF MAHARASHTRA**

...
Mrs. Laxmi R. Thakure h/f Mr. Laxmikant C. Patil, Advocate for
Applicants.

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

...

**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 04th APRIL, 2025.**

P.C.:-

1. Heard learned Advocates appearing for respective parties.
2. She invites attention of this Court to order dated 19.09.2024 passed in Civil Application No.9978/2024 in First Appeal (Stamp) No.22499/2021. She submits that aforesaid order is in respect of same acquisition. As such in sister Appeal, this Court has already permitted withdrawal of amount. The same course can be followed in present application.
3. The learned Advocate appearing for respondents do not dispute aforesaid position.
4. Hence, following order:

ORDER

 - a. Civil Application is partly allowed.

- b. The applicants are permitted to withdraw 50% of the amount deposited alongwith accrued interest by furnishing usual undertaking.
- c. Further 25% of the amount is allowed to be withdrawn alongwith accrued interest on furnishing solvent surety/security to the satisfaction of learned Registrar (Judicial) of this Court.
- d. Remaining 25% of the amount shall be invested in Fixed Deposit of any nationalized bank to be renewed periodically till disposal of the appeal.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/April-2025