

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

**918 CIVIL APPLICATION NO. 4571 OF 2025
IN FAST/18768/2021**

Babita Anna Jarande

VERSUS

The Exe. Engineer, Osmanabad Med. Pro. Div., Osmanabad And Ors

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Mr. Shaikh Shoyab, Advocate for Applicant

Mr. R. D. Raut - AGP for Respondent Nos. 2 and 3/State

Mr. Rahul A. Tambe - Advocate for Respondent No. 1

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CORAM : NEERAJ P. DHOTE, J.

DATED : 22ND APRIL 2025

PER COURT : -

1. This is an Application by the Original Claimant / Respondent in Appeal for withdrawal of the amount deposited by the Acquiring Body.

2. Learned Advocate for the Applicant submits that the Appeal filed by the Acquiring Body is only to the extent of granting interest by the Reference Court. The amount of compensation deposited by the Acquiring Body be allowed to be withdrawn by him. He submits that the Application be allowed.

3. The learned Advocate appearing for the Acquiring Body / Appellant in Appeal submits that, the Appeal is filed to the extent of

interest granted by the Reference Court. He submits that the appropriate orders be passed.

4. In view of the above submissions, as the amount deposited by the Acquiring Body is towards principal amount i.e. amount of actual compensation excluding interest, there is no impediment to grant the Application. Hence, the same is allowed in terms of prayer clause 'B' subject to the Applicant / Respondent in Appeal submitting an usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

[NEERAJ P. DHOTE]
JUDGE