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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**953 CIVIL APPLICATION NO. 4678 OF 2025
IN FAST/27336/2023**

INDRAJEET MADHAV HUKE
VERSUS
EXECUTIVE ENGINEER MEDIUM PROJECT O AND M OSMANABAD
AND OTHERS
WITH
CIVIL APPLICATION NO. 11495 OF 2023
IN FAST/27336/2023

THE EXECUTIVE ENGINEER MEDIUM PROJECT O AND M
OSMANABAD DISTRICT OSMANABAD
VERSUS
INDRAJEET MADHAV HUKE AND OTHERS
WITH
CIVIL APPLICATION NO. 11496 OF 2023
IN FAST/27336/2023

THE EXECUTIVE ENGINEER MEDIUM PROJECT O M OSMANABAD
DISTRICT OSMANABAD
VERSUS
INDRAJEET MADHAV HUKE AND OTHERS

Mr.S.S.Shinde, Advocate for the applicant.
Mr.Mukul Kulkarni, Advocate for respondent No.1.
Ms.R.R.Tandale, AGP for respondent No.2 and 3.

(CORAM : PRAFULLA S. KHUBALKAR, J.)

DATE : JUNE 12, 2025

PER COURT :

1. Heard. This application is filed, seeking withdrawal of

amount deposited by the appellant in this Court alongwith interest pursuant to the impugned judgment and award passed by the learned Reference Court under section 18 of the Land Acquisition Act. The applicant is the original claimant whose land came to be acquired by the respondent.

2. Considering the fact that applicant/original claimant has lost house property and the amount deposited towards compensation is only 75% of the total amount and also the fact the amount itself is meager i.e. Rs.4,43,486/-, this Court is inclined to allow this application with certain conditions. Hence, the following order :-

ORDER

The applicant is allowed to withdraw 75% of the deposited amount alongwith accrued interest by the Acquiring Body in this Court on furnishing an undertaking that in case, the appeal is allowed, they shall redeposit the amount with interest in this Court within twelve weeks thereafter. Further 25% of the deposited amount shall be allowed to be withdrawn to the applicant on furnishing solvent surety / security to the satisfaction of the Registrar Judicial of this Court.

CIVIL APPLICATION NO. 11496 OF 2023

3. This is an application for stay to the impugned judgment and award. In accordance with the order passed by this Court, the appellant has deposited the amount of 75% of the total amount and the claimants are allowed to withdraw the amount.

4. In view of this, the interim relief granted by order dated 12.09.2023 is confirmed. Civil application is disposed of.

(PRAFULLA S. KHUBALKAR, J.)