



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

**CIVIL APPLICATION NO. 13964 OF 2021
IN
CIVIL APPLICATION NO. 7901 OF 2020
IN
FIRST APPEAL NO. 3714 OF 2019**

Govind Nivrutti Mashal ..APPLICANT

VERSUS

State of Maharashtra and Others ..RESPONDENTS

**WITH CA/9058/2022 IN FA/3718/2019 WITH CA/13883/2021
IN FA/3716/2019 WITH CA/7929/2021 IN FA/3717/2019
WITH CA/11891/2021 IN FA/3721/2019 WITH CA/7930/2021
IN FA/3719/2019 WITH CA/7928/2021 IN FA/3720/2019
WITH CA/13584/2021 IN FA/3722/2019**

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Mr. S.S. Panale, Advocate for applicants
Mr. V.G. Kodale, Advocate for applicant in CA/9058/2022
Mr. M.M. Neralikar, A.G.P. for respondent no.1 - State
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**CORAM : R.G. AVACHAT AND
SANJAY A. DESHMUKH, JJ
DATE : 06th NOVEMBER, 2023**

PER COURT :

1. Heard.
2. The applicants have already been permitted to withdraw 50% of the amount deposited with this Court towards compensation in respect of the land acquired. Now, these applicants came for withdrawal of 50% of the remaining amount (25% of the entire amount deposited) relying on order

passed in Civil Application No. 1873 of 2014 in First Appeal No. 1873 of 2014. Under the said order, the applicants therein have been permitted to withdraw 75% of the amount. That appeal was arising out of one and the same acquisition proceeding. Present applicants claimed to have been similarly placed.

3. In view of above, in spite of there being strong objection by learned A.G.P., we allow the applicants to withdraw 50% of the amount in deposit (25% of the total amount deposited) on furnishing bank guaranty of any of the scheduled or co-operative bank in the nature of continuing bank guaranty. Civil applications stand disposed of accordingly.

(SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)

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