

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

11 CIVIL APPLICATION NO. 4964 OF 2025
IN FAST/15691/2020

Prabhavati Amarsing Shelar & Ors.

VERSUS

The State Of Maharashtra And Others

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Shri. Ajeet B. Kale, Advocate for the Applicants
Shri. D. J. Patil, AGP for Respondent No.1 and 2
Shri. A. D. Pawar, Advocate for Respondent No.3

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CORAM : NEERAJ P. DHOTE, J.

Dated : MAY 05, 2025

PER COURT :-

. This is the Application filed by the Orig. Claimants for withdrawal of 75% amount deposited by the Acquiring Body along with the interest accrued thereon.

2. The learned Advocate for the Applicants submits that in the connected Appeals arising out of the same acquisition proceedings i.e. in Civil Application No.4125 of 2025 in First Appeal (St.) No.22522 of 2020 with connected Applications, the Applicants / Claimants therein were permitted to withdraw 75% amount. He, therefore, submits that the Application may be allowed.

3. Though the Application is opposed by the leaned Advocate for the Acquiring Body, he does not dispute the aforesaid aspect that in connected matters arising out of the same acquisition proceedings, this Court had permitted the Claimants therein to withdraw 75% amount.

4. After hearing both the sides, there is no dispute that Acquiring Body has deposited 100% amount under the Award. As the similarly placed Claimants in the connected Appeals arising out the same acquisition proceedings were permitted to withdraw 75% amount, the Applicants herein are permitted to withdraw 75% amount along with the interest accrued thereon on furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court. Remaining 25% amount along with the interest accrued thereon be deposited in Fixed Deposit in any Nationalized Bank on yearly basis, which shall be renewed from time to time till disposal of the Appeal. The Application stands disposed off accordingly.

(NEERAJ P. DHOTE, J.)

GGP