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

**947 CIVIL APPLICATION NO. 5309 OF 2025
IN FAST/8163/2023**

**SATYANARAYAN GOVIND SOMANI, THROUGH HIS GPA
HOLDAR RAMAKANT SATYANARAYAN SOMANI
VERSUS
THE EXECUTIVE ENGINEER LATUR MEDIUM PROJECT DEPT
LATUR AND ORS**

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Mr S. B. Gastgar, Advocate for applicant
Mr S. C. Arora, Advocate for respondent No.1
Ms D. S. Jape, A.G.P. for respondent No.2/State

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 6th May, 2025

PER COURT:

1. Heard.
2. This is an application seeking withdrawal of amount deposited by the appellant in this Court along with accrued interest pursuant to the impugned judgment and order passed by the learned Reference Court under Section 18 of the Land Acquisition Act. The applicant is the original claimant, whose land is acquired by the respondents and is at an advanced stage. It is submitted that, in similar such matters, the acquiring body has compromised the case and those land owners have got their respective amounts.

(2)

3. In view of the submission that the original claimant is bedridden and the instant application is filed through GPA holder Ramakant Satyanarayan Somani, who is son of applicant, a request is made for disbursement of the amount to the GPA holder.

4. Considering that the applicant/original claimant has lost his valuable land and amount is deposited towards compensation in this Court, the application needs to be allowed in the interest of justice on certain conditions. Hence, the following order :

ORDER

(I) The applicant is allowed to withdraw 50% of the deposited amount along with accrued interest by the Acquiring Body in this Court on furnishing an undertaking that in case, the appeal is allowed, he shall redeposit the amount with interest in this Court within twelve weeks thereafter. Further 25% of the amount shall be allowed to be withdrawn to the applicant on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court. Remaining amount be invested in fixed deposit in any Nationalized Bank and be kept till disposal of the appeal.

(3)

(II) The learned Registrar (Judicial) of this Court is requested to identify the GPA alongwith original documents of power of attorney and on satisfaction, disburse the amount in the name of GPA.

5. The application stands allowed and disposed of.

(PRAFULLA S. KHUBALKAR, J.)

sjk