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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**926 CIVIL APPLICATION NO. 7219 OF 2025
IN FA/2140/2023**

MANGAL W/O ABASAHEB DESHMUKH
VERSUS
THE EX. ENGINEER, IRRIGATION DIV. BEED
WITH
CIVIL APPLICATION NO. 6526 OF 2023
IN FA/2140/2023

THE EX. ENGINEER, IRRIGATION DIV. BEED
VERSUS
MANGALBAI ABASAHEB DESHMUKH AND ANOTHER

Mr.N.P.Bangar, Advocate for the applicant.
Ms.R.R.Tandale, AGP for the respondent/State.
Mr.S.G.Bhalerao, Advocate for respondent No.1.

(CORAM : PRAFULLA S. KHUBALKAR, J.)

DATE : JULY 17, 2025

PER COURT :

CIVIL APPLICATION NO.7219 OF 2025

1. This is an application for permission to withdraw the amount deposited by the Acquiring Body in pursuance of the award passed by the Reference Court.

2. Heard. Perused the application. The learned Advocate for

the applicant submits that in identical matter, arising out of same Section 4 notification, this Court has passed an order dated 20.01.2025 in CA No.841/2025 in First Appeal No.2950/2022 and permitted withdrawal of the amount. A request is made for similar withdrawal.

3. The learned Advocate for respondent No.1 strongly opposed the applications.

4. Considering the peculiar set of facts and arguments of both sides, it would be proper to allow the application partly.

5. Registry is directed to pay 50% amount alongwith accrued interest as per the award to the claimant / applicant on their usual undertaking.

6. It is clarified that the applicant is permitted to withdraw entire deposited amount, which is 50% of the award amount.

(PRAFULLA S. KHUBALKAR, J.)