



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

**912 CIVIL APPLICATION NO. 5390 OF 2025
IN FA/1183/2022**

Ashok Mhadu Mule

....Applicant

VERSUS

The State Of Maharashtra

Thr. Collector Osmanabad And Ors.

.....Respondents

.....

Mr. Sontakke Gajanan K., Advocate for Applicant

Mr. Rajdeep D. Raut, AGP for Respondent Nos.1 and 2

Mr. G. B. Rajade, Advocate for Respondent No.3

.....

CORAM : NEERAJ P. DHOTE, J.

DATE : 07.05.2025

PER COURT :

1. This is an Application by the Original Claimant for withdrawal of the amount deposited by the Acquiring Body in this Court.

2. The Appeal is preferred by the Acquiring Body against the Award, passed by the learned Reference Court, in the proceeding of Acquisition of house property for submergence of '*Benitura Medium Project*'.

3. The learned Advocate for the Applicant submits that, in connected Appeals arising out of the same Award and the same Acquisition Proceedings, this Court has permitted the Claimants therein to withdraw the entire 75% of amount deposited by the Acquiring Body on furnishing undertaking before the learned Registrar [Judicial] of this Court, by order dated 14/11/2024,

passed in Civil Application No.11924/2024. He submits that, similar order be passed in the Application.

4. The learned Advocate for the Acquiring Body though opposes the Application, do not dispute that, this Court permitted the similarly placed Claimants to withdraw 75% amount deposited by the Acquiring Body along with interest accrued thereon.

5. On hearing both the sides and on going through the said order dated 14/11/2024, passed in Civil Application No.11924/2024, the Applicant is permitted to withdraw the entire 75% of amount deposited by the Acquiring Body along with interest accrued thereon on furnishing regular undertaking before the Registrar [Judicial] of this Court.

6. Civil Application stands disposed of accordingly.

[NEERAJ P. DHOTE, J.]

Sameer/May-2025