

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

**906 CIVIL APPLICATION NO. 5525 OF 2025
IN FAST/13137/2022**

Dwarkabai W/o Maruti Machindra

VERSUS

The State Of Maharashtra Through The Collector, Osmanabad And Ors

...

Mr. Madhav Jadhav h/f Mr. More Abhijit S., Advocate for Applicant

Mr. D. J. Patil, AGP for State

Mrs. Sunita D. Shelke - Advocate for Respondent No. 2

...

CORAM : NEERAJ P. DHOTE, J.

DATED : 09TH MAY 2025

PER COURT : -

1. This is an Application for withdrawal of the amount deposited by the Acquiring Body in this Court with interest accrued thereon.

2. The learned Advocate for the Applicant submits that, this Court in connected Appeals arising out of the same acquisition proceedings and same Award, has permitted the Claimants therein to withdraw 50% amount deposited by the Acquiring Body along with interest accrued thereon. He submits that, similar order be passed in the present Application.

3. The learned Advocate appearing for the Acquiring Body does not dispute the aforesaid aspect.

4. There is no dispute that the Acquiring Body has deposited 50% amount under the Award in this Court along with interest accrued

thereon. There is no dispute that the Applicant is similarly placed with the Applicants in the connected Applications, by which this Court vide order dated 11th August, 2023, permitted them to withdraw the entire 50% amount deposited in this Court along with interest accrued thereon.

5. In view of the above, the Application is allowed in terms of prayer clause 'B' thereof, subject to furnishing regular undertaking by the Applicant to the satisfaction of the Registrar (Judicial) of this Court against the withdrawal of 50% amount along with interest accrued thereon.

6. Application stands disposed off.

[NEERAJ P. DHOTE]
JUDGE