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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

955 CIVIL APPLICATION NO. 8948 OF 2025
IN FA/1207/2021

SAKHUBAI SHAHAJI GODASE
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR,
OSMANABAD

...
Advocate for Applicant : Mr. Laxmikant C. Patil
AGP for Respondent Nos. 1 and 2-State : Mr. S. P. Joshi
Advocate for Respondent No.3 : Mr. Rahul A. Tambe
...

CORAM : ABHAY S. WAGHWASE, J.

DATED : 18 SEPTEMBER 2025

PER COURT :-

1. This is an Application for withdrawal of the amount deposited by the Acquiring Body along with interest accrued thereon. The Appeal is filed by the Acquiring Body in respect of lands acquired for Storage Tank Dhotri in File No.1999/LNQ/CR-36.

2. Heard the learned Advocate for the Applicant, the learned Advocate for the Acquiring Body and the learned AGP for the Respondents – State.

3. There is no dispute that, this Court, in connected Appeals, which are arising out of the same acquisition proceedings for Storage Tank Dhotri in File No.1999/LNQ/CR-36, has permitted the Applicants / Claimants therein to withdraw the amount. A copy of the order dated 28/04/2025, passed in Civil Application No.4832/2025 in First Appeal No.1208/2021 is made available for perusal. The Application in hand is also arising out of the same Storage Tank and, therefore, the same course is to be followed. Hence, the Application is allowed in terms of the said order.

4. The Applicant is allowed to withdraw 75% of the amount with accrued interest deposited in this Court on furnishing usual undertaking and remaining 25% amount be invested in fixed deposits in any Nationalized Bank to be renewed from time to time till disposal of the Appeal. Application is disposed off accordingly.

[ABHAY S. WAGHWASE, J.]

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