

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

926 CIVIL APPLICATION NO.6391 OF 2024
IN FA/3867/2019

Sambhu Laxman Karke

Versus

The State of Maharashtra
Thr Collector, Osmanabad and Ors

.....

Shri. Laxmikant C. Patil, Advocate for the Applicant
Shri. Rajdeep D. Raut, AGP for the Respondent / State.
Shri. A. N. Gaddime, Advocate for Respondent No.3

.....

CORAM : NEERAJ P. DHOTE, J.

Dated : MARCH 27, 2025

PER COURT :-

. This is the Application for withdrawal of remaining 25% amount deposited by the Acquiring Body in the office of this Court.

2. It is submitted by the learned Advocate for the Applicant that the Acquiring Body had deposited entire amount awarded by the learned Reference Court and the Applicant has withdrawn total 75% amount from the said amount deposited by the Acquiring Body. He submits that 25% amount remains with this Court and the Applicant is ready to furnish solvent surety / security against withdrawal of the said remaining amount. He submits that this Court in similar matters i.e. in group of Civil Application No.6170 of 2024 in First Appeal No.2657 of 2019 and other Applications have allowed the same request.

3. The Application is opposed by the learned Advocate for the Acquiring Body. He submits that the Applicant has already withdrawn 75% of the amount and if the Application is allowed, nothing would survive in the Appeal. He submitted that the Application be rejected.

4. The learned AGP opposes the Application.

5. There is no dispute that by order dated 27.09.2024 passed in the aforesaid Civil Applications this Court has considered and granted similar prayer. The Applicant herein is ready to furnish solvent surety / security towards withdrawal of the remaining 25% amount along with interest accrued thereon.

6. In view of the above, there is no impediment to allow the Application and the same is allowed in terms of prayer clause 'B', subject to furnishing solvent surety/security by the Applicant against the said withdrawal to the satisfaction of Registrar (Judicial) of this Court.

(NEERAJ P. DHOTE, J.)

GGP