

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

929 CIVIL APPLICATION NO. 6498 OF 2024  
IN FA/3861/2019

Sharnappa Sidhappa Kumbhar (died) Thr Lrs Mahadevi And Ors

Versus

The State of Maharashtra Thr Collector, Osmanabad And Ors

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Shri. Laxmikant C. Patil, Advocate for the Applicants

Shri. R. B. Dhaware, AGP for Respondents No.1 & 2

Shri. A. N. Gaddime, Advocate for Respondent No.3

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**CORAM : NEERAJ P. DHOTE, J.**

**Dated : MARCH 27, 2025**

**PER COURT :-**

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

2. It is submitted by the learned Advocate for the Applicants that the Acquiring Body had deposited entire amount awarded by the learned Reference Court and the Applicants have withdrawn total 75% amount from the said amount deposited by the Acquiring Body. He submits that 25% amount remains with this Court and the Applicants are 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, has allowed the same request.

3. The Application is opposed by the learned Advocate for the Acquiring Body. He submits that the Applicants have already withdrawn 75% of the amount and if the Application is allowed, nothing would survive in the Appeal.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 Application is opposed by the learned AGP.

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 Applicants herein are 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 Applicants against the said withdrawal to the satisfaction of the learned Registrar (Judicial) of this Court.

**( NEERAJ P. DHOTE, J. )**

GGP