



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

906 CIVIL APPLICATION NO. 6804 OF 2025
IN WP/3016/2023
WITH
WRIT PETITION NO. 3016 OF 2023

SHESRAO BHIKANRAO NIKAM
VERSUS
STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Mohd. Amir h/f Mr. Harshal Prakash
Randhir
AGP for Respondent/State (Pett. In WP) : Mr. R.B. Dhaware
...

CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 02.12.2025

PER COURT :

1. By this application the applicant seeks permission to withdraw the amount of Rs. 4,09,667/- deposited by the respondent /State in this Court as per order dated 07.02.2025.
2. Learned AGP for the respondent/State opposed the prayer by pointing that the respondent is having a good case on merit.
3. I have considered the rival submissions of both the parties. In view of the fact that the land of the applicant was acquired in the year 1994 and the appeal will take its own time to decide. Thus, I am inclined to allow the application partly.

5. Considering the averments made in the application, I deem it appropriate to allow the applicant to withdraw 75% of the amount deposited by the Respondent/State by giving an undertaking that the applicant will refund the amount if appeal filed by the State goes against the applicant.

6. The remaining amount be kept in a fix deposit in a Nationalized Bank.

7. The application is partly allowed.

(SIDDHESHWAR S. THOMBRE, J.)

mahajansb/