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922-CA-5356-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

922 CIVIL APPLICATION NO. 5356 OF 2025
IN FAST/31154/2023

Sadashiv Shantirappa Patil Died Through Its L Rs Vishwanath Sadashiv
Patil And Ors

VERSUS

The State Of Maharashtra Through The Collector And Others

WITH

CIVIL APPLICATION NO. 10900 OF 2025
IN FAST/31158/2023

WITH

CIVIL APPLICATION NO. 13009 OF 2023
IN FAST/31154/2023

WITH

CIVIL APPLICATION NO. 13010 OF 2023
IN FAST/31154/2023

WITH

CIVIL APPLICATION NO. 13007 OF 2023
IN FAST/31158/2023

WITH

CIVIL APPLICATION NO. 13008 OF 2023
IN FAST/31158/2023

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Mr. Manoj Dharmaraj Shinde, Advocate for Applicant.

Mr. R. B. Dhaware, AGP for Respondent-State.

Mr. Gulab B. Rajale, Advocate for Respondent No.3.

CORAM : KISHORE C. SANT, J.

DATE : 3rd OCTOBER 2025.

PC :-
CA/5356/2025

1. Heard the learned Advocates for the parties.
2. This application is filed for withdrawal of the amount deposited by the appellant in the office of this Court. The amount is deposited towards the enhanced amount of compensation awarded by the learned Reference Court in a reference. It is stated that the amount deposited in this Court is only 60% of the enhanced amount.
3. Mr. Rajale, the learned Advocate for Respondent No.3 submits that because of the order passed by this Court, only 60% of the amount is deposited in the office of this Court.
4. Learned Advocate, during the course of argument, submits that there were several references filed by the owners of other land as well, from three different villages. Except in two references, in all other LAR's, the amount is already deposited in execution and the same is withdrawn by the claimants therein. In two cases, the appeals are filed in this Hon'ble Court that stage operate only by depositing 60% of the amount.
5. Learned Advocate Mr. Rajale does not dispute the position.

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6. Considering above, this court finds that the entire amount can be allowed to be withdrawn with accrued interest. Hence, following order:

ORDER

(i) Application stands allowed.

7. The applicants are permitted to withdraw the amount alongwith accrued interest deposited by the Respondent in the office of this Court on furnishing usual undertaking.

8. With this, civil application stands disposed off.

CA/10900/2025

9. Heard.

10. Issue notice to the Respondent Nos. 2 and 3, returnable on 28th November 2025.

11. Learned Advocate Mr. Rajale waives service of notice for Respondent nos. 1.

12. Learned AGP waives service of notice for Respondent-AGP.

[KISHORE C. SANT, J.]