



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

**CIVIL APPLICATION NO. 10510 OF 2024
IN FA/2004/2024**

**SAKINA OSMAN MULANI DIED THROUGH HIS L RS
JAHANGIR OSMAN MULANI**

VERSUS

**THE STATE OF MAHRASHTRA THROUGH COLLECTOR
OSMANABAD**

...

Mr. Madhav K. Jadhav h/f Mr. Abhijit S. More, Advocate for
Applicant.

Mr. V. S. Badakh, AGP for Respondent-State.

Mr. Arun H. Koralkar, Advocate for Respondent No.2.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 17th JANUARY, 2025.**

P.C.:-

1. By this application, the applicant seeks withdrawal of the amount deposited by Acquiring Body in pursuant to the Award passed by the Reference Court.

2. The learned Advocate appearing for the applicant submits that in connected matters arising out of same Award this Court permitted withdrawal of 75% compensation amount.

3. The learned Advocate appearing for the respondents accepts the aforesaid position.

4. It is apparent that this Court in Civil Application No.15259/2019 in First Appeal (Stamp) No.8995/2017 permitted withdrawal of amount to the claimants. In that view of the matter, same course needs to be followed. Hence, following order:

ORDER

a. Civil Application is allowed.

- b. The applicant is permitted to withdraw 50% of the deposited amount of compensation on usual undertaking.
- c. The applicant is also permitted to withdraw 25% amount of compensation on furnishing solvent surety/security to the satisfaction of Registrar (J) of this Court.
- d. Civil Application is accordingly disposed of.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/January-2025