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923-CA-10072-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

923 CIVIL APPLICATION NO. 10072 OF 2025
IN FA/2406/2025

Fulchand Maruti Dhole.

VERSUS

Executive Engineer M. I. Osmanabad And Others

WITH

CIVIL APPLICATION NO. 12632 OF 2024
IN FA/2406/2025

...

Mr. Omprakash V. Waghmare h/f Mr. Ganesh J. Kore, Advocate for Applicant.

Ms. R. R. Tandale, AGP for Respondent Nos. 2 and 3-State.

CORAM : KISHORE C. SANT, J.

DATE : 7th OCTOBER 2025.

PC :-

WITHDRAWAL

1. At the outset, the learned Advocate for the applicant seeks leave to add figure in paragraph Nos.2, 3 and in the prayer clause.
2. Leave granted. Necessary amendment be carried out forthwith.
3. Today, when the matter is called out in the morning sessions, none was present for the respondent-original appellant, none present in the

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second sessions. Even on the last occasion, none was present for the appellant.

4. Heard the learned Advocate for the applicant and learned AGP for respondent Nos. 2 and 3.

5. The application is filed for withdrawal of the amount deposited by the appellant acquiring body in the office of this Court. The application is filed by the original claimant, who lost his land in the acquisition.

6. Considering above, following order:-

ORDER

(i) Application is partly allowed.

(ii) The applicant is permitted to withdraw 50% of the amount deposited in the office of this Court alongwith accrued interest on furnishing usual undertaking.

(iii) 25% of the amount is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.

(iv) Remaining amount be kept in fixed deposit in any

nationalized bank till final disposal of the first appeal.

(v) With this, civil application stands disposed off.

STAY APPLICATION

7. Since the applicant has deposited the entire amount in the office of this Court as per impugned judgment and award, there shall be stay to the impugned judgment and award till final disposal of the first appeal.

8. With this, civil application stands disposed off.

[KISHORE C. SANT, J.]