



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

925 CIVIL APPLICATION NO. 923 OF 2025
IN FIRST APPEAL NO. 960 OF 2022
WITH
CIVIL APPLICATION NO. 4177 OF 2022 IN FA/960/2022

CHANDRAKALA YOUNVRAJ KHOPADE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
OSMANABAD AND OTHERS

...

Mr. Laxmikant C. Patil – Advocate for Applicants
Mr. R.D. Raut – AGP for Respondent Nos.1 and 2, State
Mr. Anil M. Gaikwad – Advocate for Respondent No.3

....

CORAM : SANJAY A. DESHMUKH, J.
DATE : 22nd JANUARY, 2025

PER COURT :

CIVIL APPLICATION NO. 923 OF 2025

1. Heard learned advocates for the applicants and respondent No.3 and learned A.G.P. for respondent Nos.1 and 2, State.
2. This is an application is filed for withdrawal of the amount deposited in this Court by the appellant – acquiring body. This Court on 01.07.2024 had already passed an order in similar applications, permitting the applicants therein to withdraw 75% of the amount deposited on certain conditions. In view of the same, the following order :

ORDER

- (a) The application is partly allowed.
- (b) The applicants/claimants are allowed to withdraw 50% of the amount deposited with accrued interest on furnishing an undertaking that in-case the appeal is decided against them, they shall re-deposit the amount within twelve (12) weeks from the date of such order. Further 25% of the amount deposited with accrued interest is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.
- (c) Remaining 25% amount shall be invested in fixed deposit of any nationalized bank, to be renewed from time to time till final disposal of the appeal.

CIVIL APPLICATION NO. 4177 OF 2022

- 3. This is an application filed for stay to the impugned judgment and award.
- 4. Perused the application. Heard advocates for the respective parties.
- 5. It is submitted that, entire amount as per impugned award is

deposited in this Court. This Court has allowed the application for withdrawal of the amount deposited in this Court, therefore the application becomes infructuous. The application is disposed of accordingly.

FIRST APPEAL NO. 960 OF 2022

6. Heard.
7. Admit.
8. Call for record and proceeding.
9. Stand over to 16th April, 2025.

[SANJAY A. DESHMUKH]
JUDGE