



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

32 CIVIL APPLICATION NO. 12520 OF 2024
IN FA/82/2024
WITH
CIVIL APPLICATION NO. 12521 OF 2024
IN FA/85/2024
WITH
CIVIL APPLICATION NO. 12522 OF 2024
IN FA/81/2024

CHANDRASENA W/O GAJENDRA PATIL
VERSUS
THE EXECUTIVE ENGINEER AND ORS

...
Advocate for Applicants : Ms. Vaishali Arun Shinde
Advocate for Respondent No. 1 : Mr.G. B. Rajale
AGP for Respondent Nos. 2 & 3/State : Mr. D.B.Bhange
...

CORAM : S. G. CHAPALGAONKAR, J.
Dated : 14.01.2025

PER COURT :-

1. The present applications are filed seeking withdrawal of the amount deposited by the respondent Acquiring Body in pursuance to the order passed on the stay application.
2. Ms. Vaishali Shinde, learned Advocate appearing for the applicants submits that in connected appeals arising out of the same award, this Court has permitted to withdraw 75% of

the amount, on furnishing usual undertaking, to the satisfaction of the Registrar, (Judicial) of this Court.

3. Mr. Rajale, learned Advocate appearing for respondent No. 1/Acquiring Body, accepts that in connected matters arising out of the same award, 75% of the amount is permitted to be withdrawn, as per order dated 17.06.2021, in Civil Application No. 3013 of 2020 in FAST No. 2393 of 2019. In the result the same course can be followed. Hence the following order :

ORDER

- (i) The Civil Applications are partly allowed.
- (ii) The applicants/Original Claimants are permitted to withdraw 75% of the amount deposited by the Acquiring Body with Registry of this Court, subject to furnishing of usual undertakings to the satisfaction of the Registrar, (Judicial) of this Court.
- (ii) The rest of the amount be kept in Fixed Deposits, in any nationalized Bank, in the term that provides maximum rate of interest.
- (vi) The Civil Applications stand disposed of.

(S. G. CHAPALGAONKAR)
JUDGE

mahajansb/