



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

**CIVIL APPLICATION NO. 13348 OF 2024
IN FA/3052/2024**

**BARIKRAO KRISHNA KASAB SURYAWASNSHI DIED THR.
LRS DADARAO BARIKARO SURYAWANSHI AND ANR**

VERSUS

**THE STATE OF MAHARASHTRA THROUGH THE
COLLECTOR, OSMANABAD AND ORS**

...

Mr. Abhijit S. More, Advocate for Applicants.

Mr. S. P. Joshi, AGP for Respondents-State.

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

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 25th APRIL, 2025.**

P.C.:-

1. Heard learned Advocates appearing for respective parties.
2. The applicants seek permission to withdraw amount deposited by respondent/Acquiring Body in pursuance to award passed by Reference Court.
3. Mr. More, learned Advocate appearing for applicants invites attention of this Court to order dated 11.10.2024 passed in sister appeals i.e. Civil Application No.11857/2023 in First Appeal Stamp No.6107/2022 alongwith other connected matters and submits that this Court permitted withdrawal of 75% amount alongwith accrued interest thereon with furnishing usual undertaking. The same course may be followed in present case.
4. The learned Advocate appearing for respondents do not dispute aforesaid order pertaining to same acquisition and award.

5. In result, with intention to maintain parity, Civil Application is partly allowed.

6. The applicants are permitted to withdraw 75% of the amount alongwith accrued interest thereon on furnishing usual undertaking to the satisfaction of Registrar (Judicial) of this Court that they shall redeposit amount in case any adverse order is passed in appeal. The undertaking to be filed within period of eight weeks from today and shall be made part of Appeal compilation.

7. Balance of amount be kept Fixed Deposit in any Nationalized Bank.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/April-2025