



(1)

954-CA-3823-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

954 CIVIL APPLICATION NO. 3823 OF 2025 IN FAST/37286/2023

SHIVAJI BABURAO BELKUNDE

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR LATUR AND
ANR

...

Advocate for Applicant : Mr. S. S. Halkude
AGP for Respondent No.1 : Ms. M. L. Sangit
Advocate for Respondent No.2 : Mr. V. P. Patil

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WITH

CIVIL APPLICATION NO. 14390 OF 2023 IN FAST/37235/2023

WITH

CIVIL APPLICATION NO. 14386 OF 2023 IN FAST/37281/2023

WITH

CIVIL APPLICATION NO. 14392 OF 2023 IN FAST/37285/2023

WITH

CIVIL APPLICATION NO. 14384 OF 2023 IN FAST/37286/2023

WITH

CIVIL APPLICATION NO. 14388 OF 2023 IN FAST/37293/2023

...

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 25.04.2025

PER COURT :-

CIVIL APPLICATION NO. 3823 OF 2025 IN FAST/37286/2023

1. Heard Mr. S. S. Halkude, learned counsel for the claimant, Mr. Patil, learned counsel for respondent No.2 and learned AGP for respondent No.1.

2. Learned counsel for the applicant/land owner states that in matter arising out the same project, the land owner has been permitted to withdraw the entire amount deposited by the acquiring body with accrued interest on furnishing usual undertaking.

3. However, the learned counsel for the acquiring body opposes the prayer for withdrawal of the entire amount. He submits that at the most 50% amount may be permitted to be withdrawn and that too on furnishing solvent surety/security.

4. However, having regard to the fact that in similar matters this Court has permitted withdrawal of entire amount on furnishing usual undertaking I am inclined to allow the application on the following terms:-

ORDER

- i. The Civil Application is allowed.
- ii. The applicant/land owner is permitted to withdraw the entire amount deposited by the acquiring body along with accrued interest on furnishing usual undertaking.

ORDER IN

- (i) FAST/37286/2023
- (ii) FAST/37235/2023
- (iii) FAST/37281/2023
- (iv) FAST/37285/2023
- (v) FAST/37286/2023
- (vi) FAST/37293/2023

Time to deposit amount of cost of Rs.2000/- is extended by another one week.

(PRAFULLA S. KHUBALKAR, J.)

PRW