



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

**CIVIL APPLICATION NO. 4448 OF 2025
IN FAST/18724/2024**

UTTAM NARAYAN PATIL AND ORS
VERSUS
THE EXECUTIVE ENGINEER AND OTHERS

...

Mr. Datta Ankush Madake, Advocate for Applicants.

Mr. Rahul A. Tambe, Advocate for Respondent No.1.

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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 are seeking permission to withdraw amount deposited by respondent/Acquiring Body in pursuance to award passed by Reference Court under Land Acquisition Act.
3. The learned Advocate appearing for applicants invites attention of this Court to order dated 01.09.2023 passed in Civil Application No.10851/2023 as well as order dated 08.12.2023 passed in Civil Application No.6063/2021 and submits that those orders are pertaining to sister appeals arising out of same acquisition and same course may be followed.
4. Mr. Tambe, learned Advocate appearing for respondent/Acquiring Body concedes to aforesaid position.
5. Apparently, Acquiring Body has deposited 50% compensation amount as awarded by Reference Court. In that view of the matter and considering previous orders, Civil Application is partly allowed and applicants are permitted to withdraw entire amount as

deposited by Acquiring Body alongwith interest accrued thereon on furnishing usual undertaking to the satisfaction of Registrar (Judicial) of this Court that they shall redeposit the amount in case adverse order is passed in Appeal. The undertaking to be filed within a period of eight weeks from today and it shall be made part of Appeal compilation.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/April-2025