

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

917 CIVIL APPLICATION NO. 4939 OF 2025
IN FAST/22551/2020

Shivaji Dhansing Patil

Versus

The State Of Maharashtra, Through Collector, Jalgaon And Others

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Shri. Ajeet B. Kale, Advocate for the Applicant

Shri. D. J. Patil, AGP for the Respondent / State.

Shri. Rahul A. Tambe, Advocate for Respondent No.3

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CORAM : NEERAJ P. DHOTE, J.

Dated : APRIL 29, 2025

PER COURT :-

. This is the Application by the Respondent / Orig. Claimant in the Appeal for withdrawal of the amount deposited by the Acquiring Body.

2. The land of the Applicant / Orig. Claimant was acquired for construction of Minor Irrigation Tank, at Chitegaon, Tal. Chalisgaon, Dist. Jalgaon in the proceedings bearing LAQ/SR-No.208/03.

3. The learned Advocate for the Applicant submits that enhancement by the learned Reference Court is just five (5) times of the compensation awarded by the Special L.A.O. He submits that this Court in connected matters arising out of the same acquisition proceedings has permitted the Applicants therein to withdraw 75% amount on furnishing usual undertaking. He submits that, in the case on hand, the Acquiring Body has deposited 75% amount and the Applicant be permitted to withdraw the same on the same terms and conditions as mentioned in the order dated 21.04.2025 passed in Civil Application No.4125 of 2025 in FAST/22522/2020.

4. The Application is opposed by the learned Advocate for the Acquiring Body. However, he does not dispute that this Court in connected matters has permitted the Applicants therein to withdraw 75% amount deposited by the Acquiring Body. He submits that appropriate orders be passed.

5. The learned AGP for the State is present.

6. Considering the above factual aspects and in view of the above referred order passed by this Court in connected matters, the Applicant is allowed to withdraw 75% amount deposited by the Acquiring Body, out of which some amount was deposited before the Reference Court and some amount before this Court i.e. entire 75% amount, on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. Application stands disposed off accordingly.

(NEERAJ P. DHOTE, J.)