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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

953 CIVIL APPLICATION NO. 5027 OF 2025
IN FA/3281/2023

DNYANDEV BHAGWAN PAWAR
VERSUS
THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION AND
OTHERS
WITH
CIVIL APPLICATION NO. 3806 OF 2023
IN FA/3281/2023

THE EX. ENGINEER MINOR IRRIGATION DIV. THROUGH G.M.I.D.C.,
AURANGABAD

VERSUS
DNYANDEV BHAGWAN PAWAR AND OTHERS

Mr.Sujit Patil, Advocate for the applicant .
MS.V.S.Swami h/f Mr.M.C.Swani, Advocate for respondent No.1 /
Acquiring Body.
Ms.M.L.Sangit, AGP for respondent Nos. 2 and 3.

(CORAM : PRAFULLA S. KHUBALKAR, J.)

DATE : MAY 2, 2025

PER COURT :

1. This is an application for withdrawal of amount deposited by the acquiring body. The learned Advocate for the non applicant / acquiring body states that the rates at which the compensation is awarded, is not in dispute and the dispute is restricted about the interest awarded under the Land Acquisition Act.

2. The learned Advocate for the claimants submits that in identical matters arising from the same project, this Court has allowed the application for withdrawal of the amount by order dated 04.04.2025 in CA No.3491/2025 in First Appeal No.3282/2023 and requests for grant of similar order.

3. In this case, the total amount deposited by the acquiring body is Rs.2,08,806/-. In that view of the matter, I am inclined to permit the applicant / land owner to withdraw an amount of Rs.2,00,000/- from the total amount deposited by the acquiring body in this Court. Civil Application No.5027/2025 is disposed of.

CIVIL APPLICATION NO.3806 OF 2023

4. Heard the learned Advocate for the applicant. In view of the fact that the Acquiring Body has deposited the entire amount pursuant to order dated 24.03.2023, it will be in the interest of justice that the execution of the impugned judgment and award be stayed till the final disposal of the appeal. Civil application is allowed and disposed of.

(PRAFULLA S. KHUBALKAR, J.)